S. Hrg. 99-771

RESTORATION OF FEDERAL RECOGNITION TO THE YSLETA DEL SUR PUEBLO AND THE ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS

HEARING

BEFORE THE

SELECT COMMITTEE ON INDIAN AFFAIRS
UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

H.R. 1344

TO PROVIDE FOR THE RESTORATION OF FEDERAL RECOGNITION TO THE YSLETA DEL SUR PUEBLO AND THE ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS, AND FOR OTHER PURPOSES

JUNE 25, 1986
WASHINGTON, DC

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RESTORATION OF FEDERAL RECOGNITION TO THE YSLETA DEL SUR PUEBLO AND THE ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS

WEDNESDAY, JUNE 25, 1986

U.S. Senate,
Select Committee on Indian Affairs,
Washington, DC.

The committee met, pursuant to notice, at 10:35 a.m., in room 385, Russell Senate Office Building, Hon. James Abdnor (acting chairman of the committee) presiding.

Senator **Abdnor**. The committee will come to order. We would like to receive the testimony of Congressman Coleman on the bill. We will insert it in the record at the place where it would properly appear.

[The text of H.R. 1344 follows:]

99TH CONGRESS
1ST SESSION

H. R. 1344

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 1985

Received; read twice and referred to the Select Committee on Indian Affairs

AN ACT

To provide for the restoration of Federal recognition to the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribes of Texas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act".

REGULATIONS

SEC. 2. The Secretary of the Interior or his designated representative may promulgate such regulations as may be necessary to carry out the provisions of this Act.

TITLE I—YSLETA DEL SUR PUEBLO RESTORATION

DEFINITIONS

SEC. 101. For purposes of this title—

(1) the term "tribe" means the Ysleta del Sur Pueblo (as so designated by section 102);

(2) the term "Secretary" means the Secretary of the Interior or his designated representative;

(3) the term "reservation" means—

(A) the lands held by the tribe on the date of the enactment of this title;

(B) the lands held in trust by the State and by the Texas Indian Commission for the benefit of the tribe on such date; and

(C) any lands held in trust for the benefit of the tribe by the Secretary under the plan developed pursuant to section 105(g).

(4) the term "State" means the State of Texas;

(5) the term "Tribal Council" means the governing body of the tribe; and

(6) the term "Tiwa Indians Act" means the Act entitled "An Act relating to the Tiwa Indians of Texas." and approved April 12, 1968 (82 Stat. 93).

REDESIGNATION OF TRIBE

SEC. 102. The Indians designated as the Tiwa Indians of Ysleta, Texas, by the Tiwa Indians Act shall, on and after the date of the enactment of this title, be known and designated as the Ysleta del Sur Pueblo. Any reference in any law, map, regulation, document, record, or other paper of the United States to the Tiwa Indians of Ysleta, Texas, shall be deemed to be a reference to the Ysleta del Sur Pueblo.

RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND BENEFITS

SEC. 103. (a) FEDERAL RECOGNITION.—Federal recognition of the tribe and of the trust relationship between the United States and the tribe is hereby restored. All laws and rules of law of the United States of general application to Indians, to nations, tribes, or bands of Indians, or to Indian reservations which are not inconsistent with any specific provision contained in this title shall apply to the members of the tribe, the tribe, and the reservation.

(b) RESTORATION OF RIGHTS AND PRIVILEGES.—All rights and privileges of the tribe and members of the tribe under any Federal treaty, statute, Executive order, agreement, or under any other authority of the United States which may have been diminished or lost under the Tiwa Indians Act are hereby restored.

(c) FEDERAL SERVICES AND BENEFITS.—Notwithstanding any other provision of law, the tribe and the members of the tribe shall be eligible, on and after the date of the enactment of this title, for all benefits and services furnished to federally recognized Indian tribes.

(d) EFFECT ON PROPERTY RIGHTS AND OTHER OBLIGATIONS.—Except as otherwise specifically provided in this title, the enactment of this title shall not affect any property right or obligation or any contractual right or obligation in existence before the date of the enactment of this title or any obligation for taxes levied before such date.

STATE AND TRIBAL AUTHORITY

SEC. 104. (a) STATE AUTHORITY.—Nothing in this Act shall affect the power of the State of Texas to enact special legislation benefiting the tribe.

(b) TRIBAL AUTHORITY.—The Tribal Council, as such Council is constituted on the date of the enactment of this title, shall represent the tribe and its members in the implementation of this title and shall have full authority and capacity—

(1) to enter into contracts, grant agreements, and other arrangements with any Federal department or agency, and

(2) to administer or operate any program or activity under or in connection with any such contract, agreement, or arrangement, to enter into subcontracts or award grants to provide for the administration of any such program or activity, or to conduct any other activity under or in connection with any such contract, agreement, or arrangement.

PROVISIONS RELATING TO TRIBAL RESERVATION

SEC. 105. (a) FEDERAL RESERVATION ESTABLISHED.—The reservation is hereby declared to be a Federal Indian reservation for the use and benefit of the tribe without regard to whether legal title to such lands is held by the State or by the tribe.

(b) CONVEYANCE OF LAND BY STATE.—The Secretary shall—

(1) accept any offer from the State to convey title to any land held in trust by the State or by the Texas Indian Commission for the benefit of the tribe to the Secretary, and

(2) hold such title, upon conveyance by the State, in trust for the benefit of the tribe.

(c) CONVEYANCE OF LAND BY TRIBE.—At the written request of the Tribal Council, the Secretary shall—

(1) accept conveyance by the tribe of title to any land held by the tribe to the Secretary, and

(2) hold such title, upon such conveyance by the tribe, in trust for the benefit of the tribe.

(d) APPROVAL OF DEED BY ATTORNEY GENERAL.—Notwithstanding any other provision of law or regulation, the Attorney General of the United States shall approve any deed or other instrument from the State or the tribe which conveys title to land within the reservation to the United States.

(e) PERMANENT IMPROVEMENTS AUTHORIZED.—Notwithstanding any other provision of law or rule of law, the Secretary or the tribe may erect permanent improvements, improvements of substantial value, or any other improvement authorized by law on the reservation without regard to whether legal title to such lands has been conveyed to the Secretary by the State or the tribe.

(f) CIVIL AND CRIMINAL JURISDICTION WITHIN RESERVATION.—The State shall exercise civil and criminal jurisdiction within the boundaries of the reservation as if such State had assumed such jurisdiction with the consent of the tribe under sections 401 and 402 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes." and approved April 11, 1968 (25 U.S.C. 1321, 1322).

(g) PLAN FOR ENLARGEMENT OF RESERVATION.—The Secretary shall negotiate with the tribe concerning the enlargement of the reservation and, not later than two years after the date of the enactment of this Act, shall develop a plan for the enlargement of the reservation for the tribe. The plan shall include provisions for the acquisition of land to be selected from available public, State, or private lands within El Paso or Hudspeth Counties, Texas. Upon approval of such plan by the tribe, the Secretary shall submit such plan, in the form of proposed legislation, to the Congress.

(h) NOTIFICATION AND CONSULTIVE REQUIREMENTS FOR PLAN.—To assure that legitimate State and local interests are not prejudiced by the enlargement of the reservation for the tribe, the Secretary, in developing the plan under subsection (g) shall notify and consult with all appropriate officials of the State of Texas, all appropriate local government officials in the affected area in the State of Texas, and any other interested party. The consultations required under this subsection shall include—

(1) the size and location of the additions to the reservation;

(2) the effect the enlargement of the reservation would have on State and local tax revenues;

(3) the criminal and civil jurisdiction of the State of Texas with respect to the reservation and persons on the reservation;

(4) the provision of State and local services to the reservation and to the tribe and members of the tribe on the reservation; and

(5) the provision of Federal services to the reservation and to the tribe and members of the tribe and the provision of services by the tribe to members of the tribe.

(i) CONTENTS OF PLAN.—Any plan developed for the enlargement of the reservation shall provide that the Secretary shall not accept any real property in trust for the benefit of the tribe or bands unless such real property is located either within El Paso or Nudspeth Counties, State of Texas.

(j) STATEMENT APPENDED TO ENLARGEMENT PLAN RESPECTING IMPLEMENTATION OF NOTIFICATION AND CONSULTATIVE REQUIREMENTS.—The Secretary shall append to the plan a detailed statement describing the manner in which the notification and consultation prescribed by subsection (h) was carried out and shall include any written comments with respect to the enlargement of the reservation for the tribe submitted to the Secretary by State and local officials and other interested parties in the course of such consultation.

TIWA INDIANS ACT REPEALED

SEC. 106. The Tiwa Indians Act is hereby repealed.

SEC. 107. Gaming, lottery or bingo on the tribe's reservation and on tribal lands shall only be conducted pursuant to a tribal ordinance or law approved by the Secretary of the Interior. Until amended as provided below, the tribal gaming laws, regulations and licensing requirements shall be identical to the laws and regulations of the State of Texas regarding gambling, lottery and bingo. Any amendments to the tribal gaming laws, regulations and licensing requirements shall be submitted by the tribe to the Secretary for approval. Upon such approval, the Secretary shall submit such amendments to the Congress. Such amendments shall become effective at the end of a 60 legislative day period beginning on the day such amendments are submitted to the Congress, unless during such 60-day period Congress adopts a joint resolution disapproving such amendments.

TITLE II—ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS

DEFINITIONS

SEC. 201. For purposes of this title—

(1) the term "tribe" means the Alabama and Coushatta Indian Tribes of Texas (considered as one tribe in accordance with section 202);

(2) the term "Secretary" means the Secretary of the Interior or his designated representative;

(3) the term "reservation" means the Alabama and Coushatta Indian Reservation in Polk County, Texas, comprised of—

(A) the lands and other natural resources conveyed to the State of Texas by the Secretary pursuant to the provisions of section 1 of the Act entitled "An Act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes." and approved August 23, 1954 (25 U.S.C. 721), and

(B) the lands and other natural resources purchased for and deeded to the Alabama Indians in accordance with an act of the legislature of the State of Texas approved February 3, 1854;

(4) the term "State" means the State of Texas;

(5) the term "constitution and bylaws" means the constitution and bylaws of the tribe which were adopted on June 16, 1971; and

(6) the term "Tribal Council" means the governing body of the tribe under the constitution and bylaws.

ALABAMA AND COUSHATTA INDIAN TRIBES OF TEXAS CONSIDERED AS ONE TRIBE

SEC. 202. The Alabama and Coushatta Indian Tribes of Texas shall be considered as one tribal unit for purposes of this title and any other law or rule of law of the United States.

RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND BENEFITS

SEC. 203. (a) FEDERAL RECOGNITION.—Federal recognition of the tribe and of the trust relationship between the United States and the tribe is hereby restored. The Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 476) and all laws and rules of law of the United States of general application to Indians, to nations, tribes, or bands of Indians, or to Indian reservations which are not inconsistent with any specific provision contained in this title shall apply to the members of the tribe, the tribe, and the reservation.

(b) RESTORATION OF RIGHTS AND PRIVILEGES.—All rights and privileges of the tribe and members of the tribe under any Federal treaty, Executive order, agreement, statute, or under any other authority of the United States which may have been diminished or lost under the Act entitled "An Act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes." and approved August 23, 1954, are hereby restored and such Act shall not apply to the tribe or to members of the tribe after the date of the enactment of this title.

(c) FEDERAL BENEFITS AND SERVICES.—Notwithstanding any other provision of law, the tribe and the members of the tribe shall be eligible, on and after the date of the enactment of this title, for all benefits and services furnished to federally recognized Indian tribes.

(d) EFFECT ON PROPERTY RIGHTS AND OTHER OBLIGATIONS.—Except as otherwise specifically provided in this title, the enactment of this title shall not affect any property right or obligation or any contractual right or obligation in existence before the date of the enactment of this title or any obligation for taxes levied before such date.

STATE AND TRIBAL AUTHORITY

SEC. 204. (a) STATE AUTHORITY.—Nothing in this Act shall affect the power of the State of Texas to enact special legislation benefiting the tribe.

(b) CURRENT CONSTITUTION AND BYLAWS TO REMAIN IN EFFECT.—The constitution and bylaws of the tribe on file with the Committee on Interior and Insular Affairs is hereby declared to be approved for the purposes of section 16 of the Act of June 18, 1934 (48 Stat. 987; 25 U.S.C. 476) except that all reference to the Texas Indian Commission shall be considered as reference to the Secretary of the Interior.

(c) AUTHORITY AND CAPACITY OF TRIBAL COUNCIL.—No provision contained in this title shall affect the power of the Tribal Council to take any action under the constitution and bylaws described in subsection (b). The Tribal Council shall represent the tribe and its members in the implementation of this title and shall have full authority and capacity—

(1) to enter into contracts, grant agreements, and other arrangements with any Federal department or agency;

(2) to administer or operate any program or activity under or in connection with any such contract, agreement, or arrangement, to enter into subcontracts or award grants to provide for the administration of any such program or activity, or to conduct any other activity under or in connection with any such contract, agreement, or arrangement; and

(3) to bind any tribal governing body selected under any new constitution adopted in accordance with section 205 as the successor in interest to the Tribal Council.

ADOPTION OF NEW CONSTITUTION AND BYLAWS

SEC. 205. Upon written request of the tribal council, the Secretary shall hold an election for the members of the tribe for the purpose of adopting a new constitution and bylaws in accordance with section 16 of the Act of June 18, 1934 (25 U.S.C. 476).

PROVISIONS RELATING TO TRIBAL RESERVATION

SEC. 206. (a) FEDERAL RESERVATION ESTABLISHED.—The reservation is hereby declared to be a Federal Indian reservation for the use and benefit of the tribe without regard to whether legal title to such lands is held by the State or by the tribe.

(b) CONVEYANCE OF LAND BY STATE.—The Secretary shall—

(1) accept any offer from the State to convey title to any lands held in trust by the State or the Texas Indian Commission for the benefit of the tribe to the Secretary, and

(2) shall hold such title, upon conveyance by the State, in trust for the benefit of the tribe.

(c) CONVEYANCE OF LAND BY TRIBE.—At the written request of the Tribal Council, the Secretary shall—

(1) accept conveyance by the tribe of title to any lands within the reservation which are held by the tribe to the Secretary, and

(2) hold such title, upon such conveyance by the tribe, in trust for the benefit of the tribe.

(d) APPROVAL OF DEED BY ATTORNEY GENERAL.—Notwithstanding any other provision of law or regulation, the Attorney General of the United States shall approve any deed or other instrument from the State or the tribe which conveys title to lands within the reservation to the United States.

(e) PERMANENT IMPROVEMENTS AUTHORIZED.—Notwithstanding any other provision of law or rule of law, the

Secretary or the tribe may erect permanent improvements, improvements of substantial value, or any other improvement authorized by law on the reservation without regard to whether legal title to such lands has been conveyed to the Secretary by the State or the tribe.

(f) CIVIL AND CRIMINAL JURISDICTION WITHIN RESERVATION.—The State shall exercise civil and criminal jurisdiction within the boundaries of the reservation as if such State had assumed such jurisdiction with the consent of the tribe under sections 401 and 402 of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes." and approved April 11, 1968 (25 U.S.C. 1321, 1322).

SEC. 207. Gaming, lottery or bingo on the tribe's reservation and on tribal lands shall only be conducted pursuant to a tribal ordinance or law approved by the Secretary of the Interior. Until amended as provided below, the tribal gaming laws, regulations and licensing requirements shall be identical to the laws and regulations of the State of Texas regarding gambling, lottery and bingo. Any amendments to the tribal gaming laws, regulations and licensing requirements shall be submitted by the tribe to the Secretary for approval. Upon such approval, the Secretary shall submit such amendments to the Congress. Such amendments shall become effective at the end of a 60 legislative day period beginning on the day such amendments are submitted to the Congress, unless during such 60-day period Congress adopts a joint resolution disapproving such amendments.

Passed the House of Representatives December 16, 1985.

Attest: BENJAMIN J. GUTHRIE,

Clerk.

STATEMENT OF HON. RONALD D. COLEMAN, MEMBER OF CONGRESS FROM TEXAS

Mr. **Coleman**. Thank you. I appreciate the opportunity to appear here today on behalf of my legislation which reestablishes Federal recognition for both the Alabama and Coushatta and the Tiwa Indian Tribes of native Americans within the State of Texas.

It is not my intention to take a great deal of the committee's time. I think most of the reasons for supporting this bill can be far better articulated by the tribal representatives testifying today. We in the Congress need to recognize the sense of urgency that both tribes have for the swift passage of this legislation. Indeed, the very survival of their heritage and tribal identity is gravely jeopardized every day that this Federal recognition and protection is delayed.

I would also direct this committee's attention to the broad based community support for the legislation which exists within both tribal communities. I would request the permission of the committee to include various resolutions of support from community and civic groups in the El Paso region within the record of today's hearing.

Again, I appreciate the chance to indicate my support and interest. I would urge the committee to adopt the bill swiftly, and I look forward to its expeditious consideration by the full Senate. I would ask permission also to submit a more detailed statement for the record that I think is important. While it does appear in the House records, I'd like it to appear in the Senate records as well, and I'd like to submit that.

Senator **Abdnor**. It will be made a part of the record.

Mr. **Coleman**. Thank you very much, Senator.

[Prepared statement of Mr. Coleman appears in the appendix.]

Senator **Abdnor**. Today the Select Committee on Indian Affairs will hear from witnesses on H.R. 1344, a bill that would restore Federal recognition to two Indian tribes in Texas, the Ysleta del Sur Pueblo and the Alabama Coushatta Tribe.

An act of Congress in 1967 terminated the Ysleta del Sur Pueblo, and the Alabama Coushatta Tribe was terminated by an act of Congress in 1954. Under both termination acts, the Federal trust responsibility was transferred to the State of Texas.

This morning we're going to hear from tribal witnesses, Indian organizations, and administration witnesses. My colleague from the House of Representatives, Ronald Coleman, has already spoken. We look forward to hearing the views of the scheduled witnesses on this important legislation.

Our first witness this morning will be Ralph Reeser. Mr. Reeser, sorry to keep you waiting.

STATEMENT OF RALPH REESER, LEGISLATIVE AFFAIRS LIAISON, BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

Mr. **Reeser**. Mr. Chairman, I'm pleased to substitute for Mr. Swimmer today to indicate that the problems that we had had with H.R. 1344 on the House side had been resolved, and we don't have any objections to the bill with the amendments that are discussed in my prepared statement.

I'd like to point out that it continues to be our view that all groups seeking eligibility for Federal benefits as an Indian tribe for the first time should complete our usual acknowledgment process. We are making an exception to that in this case because of the special circumstances involved with the 1968 act as it applies to the Ysleta del Sur.

Unless the chairman would like me to go on in more detail in my statement, I would be glad to accept questions.

[Prepared statement of Mr. Swimmer appears in the appendix.]

Senator **Abdnor**. Some questions, if I may. Section 103 of H.R. 1344 provides that all Federal laws of general application to Indians which are not inconsistent with this act shall extend to the Ysleta del Sur Pueblo. Section 203 has a similar provision, but specifically provides that the act of June 18, 1934, known as the Indian Reorganization Act, shall apply to the Coushatta Tribe.

Now, why are these two provisions different?

Mr. **Reeser**. Mr. Chairman, we think that both sections should be the same and both sections should include reference to the 1934 act. We think that the 1934 act probably would apply to the two tribes anyway, but for the sake of clarity we think the language should be in both sections.

Senator **Abdnor**. Is the 1934 act an act of general application and will it apply to the Pueblo as well as the Coushatta Tribe?

Mr. **Reeser**. Yes, sir.

Senator **Abdnor**. If the Pueblo elected at some future time to adopt a written constitution, could they do so under the provisions of the 1934 act?

Mr. **Reeser**. Yes, sir.

Senator **Abdnor**. You, in your statement, expressed concern that the Indian Civil Rights Act of 1968 may not fully apply to the constitution of the Coushatta Tribe and therefore recommend an amendment. The Indian Civil Rights Act is an act of general application.

Could you explain why you think this amendment is needed?

Mr. **Reeser**. Because of the problem of the sequence of the legislation. Our concern was since the Congress will be legislating this year and validating the constitution of the tribe, that there might be some question as to whether the 1968 act would continue to apply.

We think the specific reference in the bill to the Civil Rights Act will make it clear that it does.

Senator **Abdnor**. Your support for acknowledgement of the Pueblo is based on "locking in" the Pueblo's current membership requirement of one-eighth degree descendancy for purposes of Federal services.

Have you encountered problems with memberships of newly recognized tribes?

Mr. **Reeser**. Yes, sir; we've had some tribes that have grown to be quite a bit larger than we thought they would be at the time that they were acknowledged.

Senator **Abdnor**. This bill contains no authorization for new appropriations. How are newly recognized tribes funded?

Mr. **Reeser**. We have a small item in our budget to handle new tribes until they get into a regular budget cycle.

Senator ABDNOR. I think that's all our questions. We thank you, Mr. Reeser, for your testimony, and we are sorry for the delay.

Mr. REESER. Thank you, Mr. Chairman.

Senator ABDNOR. Our next witnesses will be Ray Apodaca, executive director of the Texas Indian Commission; Governor Miguel Pedraza, John Gonzales, All Indian Pueblo Counsel; and Suzanne Harjo, executive director of the National Congress of American Indians.

Mr. Apodaca, why don't we begin with you? And, Mr. Miller, if you care to, would you like to join these gentlemen at the table?

STATEMENT OF RAY APODACA, EXECUTIVE DIRECTOR, TEXAS INDIAN COMMISSION, AUSTIN, TX

Mr. APODACA. My name is Ray Apodaca and I'm the executive director of the Texas Indian Commission. I will be offering two statements; one as executive director of the Texas Indian Commission on behalf of the Texas Indian Commission, and for the two tribes together; and after that I would also like to submit a statement as an individual as one of the spokespersons for the Ysleta del Sur Pueblo.

Senator ABDNOR. Without objection, they shall be made a part of the record.

Mr. APODACA. I will not go into the full statement of—as executive director of the Texas Indian Commission. It is quite lengthy and I have submitted that to the committee, and to request that the entire statement be entered into the record.

I do want to state as director of the commission very briefly that the commission recognizes as many people in the State of Texas that these two tribes are in a very critical position and situation right now in terms of their existence. We are quite concerned, as we say in the testimony, with the fact that we see coming very quickly upon them a process which will result in the termination of the two tribes by the State of Texas.

In terms of the Alabama Coushatta, in fact, in this last State legislature, the State of Texas refused to appropriate any funds for the operation of the reservation, and, in fact, took the position of directing the State employees on the reservation under the commission be funded out of the tribe's own money. As a result the administrative employees of the commission on that reservation are being funded out of the tribe's funds instead of State funds.

Now, another result of that, since our appearance before the House on the same bill, has been that the State comptroller has gone one step further and has frozen the assets and the revenues of the mineral funds of the Alabama Coushatta Tribe causing them to lose the use of their moneys; moneys which are clearly the tribe's moneys and not the State's.

On the other side with the Tiwa's, we see the State legislature progressively cutting funding down. As stated in one legislative—in one committee session in the State legislature not long ago, the State of Texas is "gradually going out of the Indian business." Of course, that concerns us greatly.

As part of my testimony that was previously submitted there is a resolution from the Texas Indian Commission itself. In my testimony we refer to the fact that we are concerned with and interested in acting in the best interest of the tribes, and that if it is in the best interest of the tribes to have them restored to Federal trust, that is the course that we seek.

At this point in time, as a result of the more recent actions of the State comptroller and as the result of the things that are occurring within the State, I don't think that we anymore can say that we just think it's in their best interests. I think at this point in time we can fairly state that we know it is in their best interests, as they have expressed it to us, that they be restored to Federal trust and have those protections that only can be afforded under that trust.

We do urge your passage and support of H.R. 1344.

Senator **Abdnor**. Thank you.

[Prepared statements of Mr. Apodaca appear in the appendix.]

STATEMENT OF MIGUEL PEDRAZA, GOVERNOR, YSLETA DEL SUR PUEBLO, EL PASO, TX

Mr. **Pedraza**. Mr. Chairman, members of the committee, my name is Miguel Pedraza and I'm Governor of the Ysleta del Sur Pueblo. On behalf of the Pueblo, I wish to thank you for the opportunity to appear before you. I have submitted a written statement and I would like to introduce it for the record.

Senator **Abdnor**. Your statement will be made a part of the record.

Mr. **Pedraza**. It's already been submitted. H.R. 1344 is a bill which is critical to the survival of our Pueblo. More than 300 years ago our Pueblo was created by immigrants from the Isleta, Pueblo in New Mexico who were forced by the Spanish to relocate near what is now El Paso. For nearly two centuries we were recognized and dealt with Spain, Mexico, Texas, and the United States the same as the other Pueblos along the Rio Grande. But, after Texas became a State, the United States had no further dealings with us, and in the 1870's Texas gave our Spanish grant lands to non-Indian settlers.

From the 1870's to the 1960's, neither the State nor the Federal Government had anything to do with us and our tribe lived a very poor existence. But, in 1967, with the help of our good friend Tom Diamond, the State agreed to provide assistance to our tribe.

I have a statement of Mr. Tom Diamond that I would like to introduce for the record.

Senator **Abdnor**. Fine. Without objection the statement will be included in the record.

[Prepared statement of Tom Diamond appears in the appendix.]

Mr. **Pedraza**. Congress had already transferred trust responsibility for the Alabama Coushatta Tribe to the State, and the Texas Indian Commission was providing services to the tribe. But before the State could provide services to our Pueblo, the Texas attorney general said that the Congress would have to recognize us as an American Indian tribe before the State could provide services.

So, in 1968 the Congress passed the Tiwa Indians Act which recognized our Pueblo as a tribe and transferred any Federal trust responsibilities to the State. After that, the State acquired almost 100 acres of land which it holds trust for our Pueblo. Tribal housing was constructed and our tribal business enterprise was begun.

Today, thanks in large part to the help we received from the State of Texas, we have several successful tribal businesses; including pottery, production and sales, we have a spice plant, and we have two excellent restaurants, we have a tourist facility which is the number one attraction in the El Paso area.

But while we can point with pride to the successes of the last 20 years, many needs remain to be met. Our tribe suffers from the same severe health, employment and education problems as other Indians do. Those are described in greater detail in my written statement. I only want to point out that the State has not been able to provide any health or educational assistance.

Perhaps the greatest need for this bill, however, comes out of attorney general opinion No. JM-17 and the other recent developments that show that the State is no longer willing to assist our tribe and protect our resources. For example, as a result of this opinion, we have received tax notices for our reservation lands and businesses. Our State funds have been reduced and the Alabama Coushattas have been completely cutoff from State funds. But, more importantly, our lands have no permanent protected status.

This bill would provide that protection and will place our pueblo in the same status as other American Indian tribes. Congress recognized our existence in 1968 and this bill will complete the process by extending the Federal trust responsibility to our lands and our people.

It is critical that Congress act now because the handwriting is on the wall; Texas is no longer willing to be our trustee as it assured Congress it would be in 1968.

We thank you, sir.

Senator **Abdnor**. Thank you.

[Prepared statement of Mr. Pedraza appears in the appendix.]

STATEMENT OF GILBERT PENA, CHAIRMAN, ALL INDIAN PUEBLO COUNCIL

Mr. **Pena**. Mr. Chairman, my name is Gilbert Pena. I'm the chairman of the All Indian Pueblo Council which is comprised of 19 New Mexico Pueblo Tribes. It's a long way from New Mexico to Washington, DC, but the Pueblo leadership feels that the issue before us is too important. It means the future of our Pueblo brothers who are direct descendants of the Pueblo of Isleta.

We are in support of the legislation before you. The Indian people of Ysleta del Sur share a way of life. They practice their tradition, their religion is practiced to this date. It can also be understood by us, the Pueblo Indians.

We ask you to act favorably on the legislation before you, for it will guarantee a way of life that is important to all of us as Pueblo Indians.

Thank you very much, Mr. Chairman.

Senator **Abdnor**. Thank you.

[Prepared statement of Mr. Pena appears in the appendix.]

STATEMENT OF DON B. MILLER, ATTORNEY, NATIVE AMERICAN RIGHTS FUND

Mr. MILLER. My name is Don Miller. I'm an attorney with the Native American Rights Fund and I represent both tribes that are the subject of this legislation. I think it's important to emphasize that this bill, if enacted, is going to fulfill the central purposes of earlier acts of Congress; the 1967 act which recognized the Tiwa Indian Tribe and transferred trust responsibility to the State of Texas, and the 1954 act of Congress which transferred Federal trust responsibility to the State of Texas for the Alabama Coushatta Tribe.

The purpose behind both of those acts was to ensure the protection and survival of these tribes through State trusteeship. What we have had happening in the last 3 years or so, since the 1983 attorney general's opinion, is a clear indication that the State of Texas is no longer willing to serve in that capacity as trustee. That really is the essence of the need for this legislation; to ensure the protection of these tribal lands and two very vibrant tribal governments.

The Interior Department, in hearings on H.R. 1344 before the House Interior Committee, raised questions as to the political and tribal identity of the Ysleta del Sur Pueblo. We submitted additional information to them which they have testified today is satisfactory, to satisy them that the tribe has, in fact, continuously existed as a political/governmental unit over the years.

That supplemental information has been made a part of the hearing record through the written statements that have been submitted, with the exception of some additional statements that were submitted to the Interior Department in May of this year. They are principally affidavits which were taken from a number of tribal elders, which demonstrate that continuously throughout their memory the Pueblo has had a functioning tribal government that has exerted a great deal of influence over the lives of its members.

Simply in the interest of building a complete record in that regard, I would like to submit those statements for the record.

Senator ABDNOR. Fine. We'll be happy to have those. Without objection they will be made a part of the record. Other than that, you're quite comfortable with the legislation that is——

Mr. MILLER. Well, we do have some suggested amendments that we have discussed with staff for the committee. Most of them are technical in nature. The principal amendment which the tribe would urge that the committee adopt is an amendment which would prohibit as a matter of Federal Law any gaming, gambling, or bingo on the reservation.

The Ysleta del Sur Tribe, as has the Alabama Coushatta Tribe, has had, for a number of years, a very strong position that gambling simply will not be permitted on their reservation. That has been a matter of tribal custom through the years. In order to quiet the controversy that surrounds this issue, the tribe is simply requesting that the legislation be amended to prohibit gambling altogether. That simply reflects tribal custom and tribal law as it exists.

Both tribes enacted resolutions to that effect earlier this year, and we would like to submit those resolutions requesting this amendment for the record.

Senator **Abdnor**. Fine. I just want to ask the Governor, are you satisfied with that amendment—everything, the gambling, the gaming?

Mr. **Pedraza**. A resolution was made and it was passed.

Senator **Abdnor**. If I may, let me ask you, Mr. Miller, are you in agreement with recommendation of the Department of the Interior that the current membership requirement one-eighth degree descendancy—is defined as a Federal service population for Pueblo?

Mr. **Miller**. Yes, Mr. Chairman. We have discussed this amendment with the Interior Department and with select committee staff, and the tribe has considered it and has agreed to that amendment, principally because it reflects the current state of tribal law; that is the tribe presently has a one-eighth degree requirement. They have a certified role that's been certified by the Texas Indian Commission.

They have no intention of altering their membership requirements and they have agreed to this amendment. They find it satisfactory.

Senator **Abdnor**. Very good. A couple of other questions. Has there been a legal challenge to the attorney general's 1983 opinion regarding the State's trusteeship?

Mr. **Miller**. Yes, Mr. Chairman. In 1984, the Alabama Coushatta Tribe challenged the attorney general's opinion in a suit filed in Federal district court in Austin, TX. The State moved to dismiss, that was denied in a written opinion, which we could submit for the record if the committee desires it.

The parties then agreed that the case could be disposed of by motion for summary judgment. The case has been fully briefed for just about 1 year now, but we are awaiting action by the court. The court has not set it down for hearing nor has the court issued a ruling. So the litigation is pending.

Senator **Abdnor**. My last question, should H.R. 1344 be enacted into law, do you foresee continued involvement between the two tribes and the Indian commission?

Mr. **Apodaca**. At this point in time, sir, I believe that after a passage of H.R. 1344 there would continue to be a Texas Indian Commission, but one without any semblance of the trust responsibility that exists now, and a character in a role that would conform more to other existing State Indian commissions and affairs offices which would primarily be a technical assistance and advocacy type function.

In fact, I just recently had a hearing before the State Affairs Commission in Austin, and that seemed to be the direction that they are already moving in even before this bill, is to move the commission away from all trust responsibilities and direct functions with the tribes, and have it function more as an agency, a resource agency of the legislature the Governer's on.

Senator **Abdnor**. Thank you. I think that—Mr. Miller?

Mr. **Miller**. If I could briefly address that issue. The bill is drafted specifically in a manner to facilitate continued State assistance to the tribes. Sections 104 and 204 provide that nothing in this bill will affect the power of the State of Texas to provide assistance to the tribes.

We would suggest additional language, which we have discussed with the Interior Department and the committee staff, to the effect that the State be specifically authorized to perform any services benefiting the tribe that are not inconsistent with the provisions of this act. And that, we hope, would make it very clear that Congress has no problem with the State providing assistance to tribes because of their status as Indians, which is the main problem that was raised by attorney general's opinion No. JM-17.

Senator ABDNOR. Very good. Well, gentleman, we thank you for your appearance here today, and I apologize for the delayed start.

The next witnesses are Mr. Morris Bullock and Arnold Battise. Gentlemen, we welcome you to the committee and your statements will be made a part of the record. You may proceed in any way you care.

Mr. Bullock.

STATEMENT OF MORRIS BULLOCK, CHAIRMAN, ALABAMA COUSHATTA INDIAN TRIBE

Mr. BULLOCK. Mr. Chairman, members of the committee, my name is Morris Bullock. I am the chairman of the Alabama Coushatta Indian Tribe of Texas. I have prepared a written statement which I would like to introduce for the record. My prepared testimony provides a general description of our tribe, our reservation, our tribal government, and our business enterprise, so I will not repeat that testimony here.

The main point that I want to make—and Mr. Battise and Mr. Miller will address this in more detail—is that without this legislation, the very survival of our tribe is threatened.

In 1954, Congress set up a system whereby the State of Texas was to serve as trustee for our tribe and our reservation. The State agreed to do this, and in fact did provide assistance for almost 30 years. But now the State attorney general has concluded that it is illegal for the State to protect our lands and provide services. As a result, the State is now taxing our land and the Texas legislature has cut off funds to our tribe.

Our reservation will not survive without Federal protection. This is the most important purpose of this bill. Our land must be protected by Federal law.

Second, I would like to talk about the change that we requested in section 207 of the bill. We have asked that the House bill be changed to forbid all gambling of any type on our reservation. We have done this because some State officials were worried that if we became a Federal tribe, we would have high stake gambling on the reservation. But our tribal custom and religion would not allow us to have any kind of gambling no matter whether we were Federal or State. So we decided it would be best if this bill just reflected what our own laws are anyway, no gambling of any kind.

I have a tribal resolution requesting this change and would like to submit it for the record.

Senator ABDNOR. Without objection.

Mr. Bullock. Unless there are questions, I have nothing more. I will be happy to answer any questions the committee may have.

Thank you.

Senator Abdnor. Thank you.

[Prepared statement of Mr. Bullock appears in the appendix.]

STATEMENT OF ARNOLD BATTISE, ATTORNEY, ALABAMA COUSHATTA TRIBAL MEMBER

Mr. Battise. Thank you, Mr. Chairman. My name is Arnold Battise. I am a member of the Alabama Coushatta Indian Tribe, as is Mr. Bullock. We are both fullblood members. The tribal council has asked me to serve as the spokesman for the tribe. At this point, I would like to submit a prepared statement which I have prepared and I would like to summarize now.

Senator Abdnor. Without objection it will be admitted to the record.

Mr. Battise. Mr. Bullock has outlined the early history of the tribe and in general described the condition of the tribe and the reservation today in Polk County, TX. I would like to focus on what we view as the most pressing need of the tribe and the need for Congress to enact this legislation without delay. That condition or that need may be summed up in one word as the survival of the tribe.

We feel that without the legislation, the existence of the tribe is placed in extreme jeopardy. The very survival of the tribe is at stake, we feel.

The State was in a position of a trustee for a long period of time. In fact, from 1928 through 1983. It was concurrently with the Federal Government in the position of trustee, although the State of Texas was more active as a trustee than the Federal Government up through 1954, when the Federal Government terminated the tribe from Federal trusteeship and transferred that trust responsibility to the State of Texas.

The first formal relationship between the tribe and the United States was established by an act of Congress in 1928, in which year the Congress appropriated $40,000 to purchase the land in addition to the reservation which has been established by the State of Texas for the tribe. In 1929, 3,181 acres were purchased adjacent to the land that was set-aside by the State of Texas for the tribe in 1854, back in the days of Sam Houston.

The Secretary of the Interior, at that time, placed the entire reservation, including the newly acquired lands, in trust as an Indian reservation. During the period that the tribe was under Federal jurisdiction from 1928 to 1954, the Bureau of Indian Affairs administered tribal affairs out of the Kiowa Agency in Anadarko, OK, which is now the Anadarko area office of the BIA.

In 1938 the tribe adopted a constitution pursuant to the Indian Reorganization Act. That constitution served the tribe as the law of the reservation until 1971, when a new constitution and bylaws were adopted.

However, notwithstanding the fact that during the period from 1928 to 1954 that we were a Federal tribe, there existed during that time, as I said earlier, an informal comanagement or a co-trustee relationship between the United States and the State of Texas, vis-a-vis the tribe.

Although the United States maintained this trust relationship with the tribe, the State at that time, that same time, provided the majority of services to the tribe and served as the primary trustee for the tribe. The legal responsibility, however, remained with the United States.

In the early 1950's, when the Congress and the Eisenhower administration began efforts toward termination of the trust relationship with Indian tribes generally, the Alabama Coushatta Indian Tribe was one of the likeliest targets. The BIA did not have a single employee in the State of Texas and the preexisting relationship between the State and the tribe would make Federal withdrawal easy and nondisruptive.

The Interior Department and the State agreed that the Federal Government would simply hand over to the State the federally held tribal assets together with the Federal trust responsibilities. In 1953, the Texas legislature enacted a concurrent resolution agreeing to accept the Federal responsibilities and agreeing to appoint an agency of the State to administer the trust.

As a result of that, those efforts, the Congress held hearings on the Alabama Coushatta Termination Act in 1953, and at that time, no tribal members could afford to travel to Washington to testify. Congress relied heavily on the expressed assurances of the State of Texas; they would assume full responsibility for the tribe.

In 1954, the tribe was terminated from Federal supervision. In 1954, when the tribe was terminated, the State of Texas continued in basically the same role that it had with the tribe before termination. In 1958, the State established a superintendency at the reservation and, in 1965, established the Texas Commission on Indian Affairs, which is now the Texas Indian Commission.

The State has provided substantial assistance to the tribe and, as Mr. Bullock has described, has greatly assisted our tribe in the development of tribal business operations.

In 1983, however, the attorney general issued opinion JM-17 and held, in effect, that the land on which the tribe was residing was no longer an Indian reservation and that the people who are on that reservation are no longer Indians. He stated in so many words that the people there on the reservation are merely an "unincorporated association of persons." I don't feel like I'm part of an unincorporated association of persons. I'm part of an Indian tribe, but JM-17 has, in effect, extinguished the legal existence of the reservation and of the tribe.

Another effect of that opinion is that the tribe is now taxed for the first time. A third effect has been that the State has not appropriated any funds for the operation, for the employees, or for the administration of the reservation and the tribe. So, several severe adverse effects have resulted from that one attorney general opinion, JM-17.

As has been alluded to earlier, as a result of JM-17, the State of Texas has not appropriated funds for the tribe, but has instead appropriated our own money from our own mineral fund to the tribe for our use, giving us our money back, in effect, and using that as part of its trust responsibility.

I have attached copies of attorney general opinion JM-17, I have attached copies of the tax rulings, and the most recent State appropriations rider as an appendix to my testimony. I would like to move that those be admitted.

Senator **Abdnor**. Without objection, they will be made a part of the record.

Mr. **Battise**. I think earlier I stated that the developments that are going on now in the State were predictable. The primary reason is that State governments, even one with a history as long as the State of Texas has with our tribe, are simply not comfortable standing in a role that historically has been fulfilled by the United States.

Thirty years ago, when the State of Texas was smaller in terms of population and times were simpler, that may have been possible. But now every 2 years we have to educate and reeducate State legislators, and it has come to the point that we have not enjoyed the relationship with the State of Texas that we did for more than 150 years.

To summarize, I would like to say that the lands of our small reservation, some 4,500 acres, are not protected by Federal laws as are the lands of the other tribes in this country. Without the protection of Federal jurisdiction, our reservation, our tribal government, our cultural identity are simply in jeopardy of being lost.

We would like to urge the swift passage of this legislation. The one thought that I would leave with the committee is that this legislation is necessary for the survival of our tribe. We would urge your favorable consideration.

Senator **Abdnor**. Thank you, Mr. Battise.

[Prepared statement of Mr. Battise appears in the appendix.]

Senator **Abdnor**. Mr. Miller, would you like to add anything?

Mr. **Miller**. I only have one matter to add. On behalf of both tribes I'd like to take this opportunity to acknowledge the efforts of Congressman Ron Coleman and his staff. He has been a real champion of these two small tribes, has shepherded this bill as much as he could, and was even willing to come over to the other side today to give testimony in support.

On behalf of the tribes, I'd like to thank him. I'd also like to thank you, Senator, for taking time out of your busy schedule to chair this hearing.

Senator **Abdnor**. I do have just one question. Are you all in agreement with the recommendation of the Department of the Interior that the Indian Civil Rights Act be specifically applicable to your tribe?

Mr. **Bullock**. Yes.

Mr. **Battise**. Yes, sir; we do agree.

Senator **Abdnor**. Well that, gentlemen, is all we need, and we'll see what appropriate action can be taken here. Thank you for your attendance here today.

If there is no further business to come before the committee, we'll be adjourned.

[Whereupon, the committee adjourned at 12:05 p.m.]

APPENDIX

PREPARED

STATEMENT OF RONALD D. COLEMAN

MR. CHAIRMAN, MEMBERS OF THE DISTINGUISHED COMMITTEE, I WISH TO TAKE THIS OPPORTUNITY TO EXTEND THE APPRECIATION OF BOTH MYSELF AND THE PEOPLE OF TEXAS FOR THE CHANCE TO HAVE THIS LEGISLATION CONSIDERED IN SUCH A TIMELY MANNER. I AM CONFIDENT THAT WHEN ALL OF THE INVOLVED PARTIES HAVE HAD THE ABILITY TO PRESENT THEIR OPINIONS TO YOU HERE TODAY, THE PRESSING NEED FOR THIS BILL WILL BE AS APPARENT TO YOU AS IT IS TO US.

IN THE COURSE OF PREPARATION FOR MY STATEMENT TODAY, I HAD THE CHANCE TO COME ACROSS A RECOUNTING OF A CONVERSATION THAT TOOK PLACE SEVERAL YEARS AGO BETWEEN A GOOD FRIEND OF MINE, MR. TOM DIAMOND, AN ATTORNEY FROM EL PASO WHO WILL ALSO BE TESTIFYING TODAY, AND A NATIONAL PARK SERVICE RANGER. IT SEEMS THAT MR. DIAMOND WAS VISITING THE GRAND QUIVIRA NATIONAL MONUMENT IN THE HOPE OF OBTAINING MORE INFORMATION ABOUT A SMALL BAND OF NATIVE AMERICANS HE HAD HEARD RESIDED IN EL PASO. WHEN APPROACHED BY MR. DIAMOND, THE RANGER SAID, "I THINK YOU'LL FIND THE TIWAS OF YSLETA DEL SUR NO LONGER EXIST." MR. DIAMOND'S NOW FAMOUS REPLY WAS, "I KNOW, BUT THE TIWAS DON'T KNOW THEY NO LONGER EXIST."

THAT PARTICULAR EXCHANGE, MR. CHAIRMAN, I BELIEVE BEST EXPLAINS THE TURN OF EVENTS, BOTH HISTORICAL AND LEGAL, WHICH BRINGS US BEFORE YOUR PANEL TODAY. THE STORY OF THE TIWAS OF EL PASO IS ONE THAT FINALLY CAN BE TOLD -- A STORY ENMESHED IN THE FABRIC OF LIFE ALONG THE SOUTHWEST BORDER OVER THE PAST THREE-HUNDRED YEARS.

MORE IMPORTANTLY, MR. CHAIRMAN, IT IS A STORY THAT DESCRIBES HOW ONE SMALL BAND OF NATIVE AMERICANS, FORCED AWAY FROM THEIR ORIGINAL TRIBE AND LANDS, EXISTED IN THE WHITE MAN'S WORLD WHILE STILL MANAGING TO RETAIN THE CULTURE, THE CUSTOMS AND THE PROUD WAY OF LIFE THEIR ANCESTORS BEQUEATHED TO THEM HUNDREDS OF YEARS AGO. TO FULLY

APPRECIATE THE CULTURAL STRENGTH AND INTEGRITY EXEMPLIFIED BY THIS SAGA, IT IS NECESSARY TO TURN BACK THE HANDS OF TIME TO THE MID-1600's.

FOR SOME TWENTY YEARS PRIOR TO 1680, THE SPANISH CONQUISTADORS WERE HAVING DIFFICULTY IN KEEPING VARIOUS FACTIONS OF THE PUEBLO INDIANS IN AND AROUND WHAT IS NOW ALBUQUERQUE, NEW MEXICO, PEACEFUL, PRACTICING CHRISTIANS, AND UNDER THEIR CONTROL. THE TIWAS HAD BECOME, BY THIS TIME, NOMINAL CATHOLICS AND OCCUPIED THEMSELVES WITH WORK ON BEHALF OF THE SPANISH AND WITH DEFENDING THEMSELVES FROM ATTACKS BY THE NAVAJO AND APACHE TRIBES. THE GROWING INSTABILITY OF THE SECULAR FORM OF GOVERNMENT CREATED BY THE SPANISH ALONG WITH INCREASING UNREST WITHIN THE PUEBLO INDIANS CAUSED THE SPANISH TO RETREAT SOUTHWARD TOWARD EL PASO. IN SO DOING, THE SPANISH ALSO FORCED A LARGE NUMBER OF TIWA INDIANS FROM THE ISLETTA PUEBLO TO ACCOMPANY THEM.

UPON REACHING THE EL PASO DEL NORTE AREA, THIS RATHER BEDRAGGLED BAND OF SPANIARDS AND TIWAS ESTABLISHED CAMP AT WHAT IS NOW KNOWN AS EL PASO, TEXAS. THE TIWAS WERE GIVEN A TRACT OF LAND ON WHICH TO ESTABLISH A NEW PUEBLO, CALLED ISLETA, OR YSLETA DEL SUR -- A FACT WHICH, OCCURING IN 1680, SURELY MAKES THIS THE OLDEST TOWN IN THE ENTIRE STATE OF TEXAS. A CATHOLIC CHURCH WAS BUILT BY THE TIWAS AND ST. ANTHONY'S MISSION, ERECTED IN 1682, STILL STANDS TODAY AS A SILENT WITNESS TO THESE EVENTS.

IN 1751, SPAIN GRANTED THE LAND OF YSLETA PUEBLO TO ITS INHABITANTS AS COMMUNAL PROPERTY, MEASURING ONE LEAGUE IN ALL DIRECTIONS FROM THE CHURCH DOORS. IN 1825, THE MEXICAN STATE OF CHIHUAHUA CONFIRMED THIS GRANT. LATER, IN 1854, THE STATE OF TEXAS CONFIRMED THE YSLETA GRANT AND, AT THE SAME TIME, GRANTED THE INHABITANTS OF THE TOWN ADDITIONAL LAND TO COMPENSATE FOR THE

LOSS OF LAND RESULTING FROM A CHANGE OF COURSE IN THE RIO GRANDE RIVER. THE 1854 ACT ALSO PROVIDED THAT A PATENT SHOULD BE ISSUED TO THE TRIBE.

ON MAY 3, 1871, THE TEXAS LEGISLATURE ENACTED "AN ACT TO INCORPORATE THE TOWN OF YSLETA IN EL PASO COUNTY." THE BOUNDARIES OF THE NEW TOWN WERE CO-EXTENSIVE WITH THOSE OF THE YSLETA GRANTS. THIS ACT PURPORTED TO AUTHORIZE THE NEWLY-INCORPORATED TOWN TO ISSUE PATENTS TO ALL LANDS TO ACTUAL SETTLERS OR ANY PERSON WHO DESIRED TO BECOME A SETTLER. THROUGH THIS INSIDIOUS LEGAL DEVICE, ALL BUT THREE OF THE MORE THAN 23,000 ACRES OF THE YSLETA GRANT WERE PATENTED TO NON-INDIANS. THE TIWAS AT THIS POINT, MR. CHAIRMAN, WERE A PEOPLE WITHOUT A HOME.

FROM THIS TIME UNTIL THE LATE-1960's, THE TIWAS CONTINUED TO RESIDE IN THIS SAME AREA AND MAINTAINED THEIR ETHNIC IDENTIFICATION AS WELL AS THEIR BASIC POLITICAL SYSTEM, ALTHOUGH THIS CULTURAL INTEGRITY SERVED TO PLACE THEM AT A SOCIOECONOMIC DISADVANTAGE FREQUENTLY. ALSO DURING THIS TIME THERE IS A RECORD OF INCREASING INTERACTIONS BETWEEN THE TIWAS AND BOTH THE U. S. GOVERNMENT AS WELL AS THE STATE OF TEXAS.

IN MAY OF 1967, THE TEXAS LEGISLATURE ENACTED A BILL WHICH AUTHORIZED THE STATE TO ACCEPT A TRANSFER OF FEDERAL TRUST RESPONSIBILITIES TO THE TIWA INDIAN TRIBE. IN THE ACT OF APRIL 12, 1968, CONGRESS PROVIDED THAT THE FEDERAL TRUST RESPONSIBILITY, IF ANY, BE TRANSFERRED TO THE STATE OF TEXAS.

PURSUANT TO THESE ACTS, THE STATE OF TEXAS ADMINISTERS THE TIWA TRIBE'S AFFAIRS. THE STATE HOLDS THE 100-ACRE RESERVATION IN TRUST FOR THE TRIBE AND, THROUGH THE TEXAS INDIAN COMMISSION, PROVIDES A SUPERINTENDENT AS WELL AS ADMINISTRATIVE AND ECONOMIC DEVELOPMENT FUNDING FOR THE TRIBE.

IT NOW APPEARS, HOWEVER, THAT THE STATE MAY RENOUNCE THE OBLIGATIONS IT UNDERTOOK IN 1967 AND 1968. THE TEXAS ATTORNEY GENERAL HAS ISSUED A FORMAL OPINION IN WHICH HE CONCLUDES THAT THE STATE MAY

NOT MAINTAIN A TRUST RELATIONSHIP WITH AN INDIAN TRIBE. WHILE THIS OPINION FOCUSED SPECIFICALLY ON A CAUSE OF ACTION ACCRUING ON THE ALABAMA-COUSHATTA RESERVATION, THE IMPLICATIONS FOR THE TIWAS ARE MOST DISTURBING. THEIR LANDS ARE PROVIDED PROTECTION ONLY BY STATE LAW. THUS, THE RESTRICTED STATUS OF THE RESERVATION, AS WELL AS CONTINUED STATE FUNDING FOR TRIBAL GOVERNMENT AND MANAGEMENT OF THE RESERVATION, IS SERIOUSLY THREATENED.

MR. CHAIRMAN, WHAT THIS LEGISLATION SEEKS, ON BEHALF OF BOTH THE TIWAS AND THE ALABAMA-COUSHATTAS, IS THE RESTORATION OF THE FEDERAL TRUST RELATIONSHIP IN ORDER TO PROVIDE ADEQUATE PROTECTION OF THE RESERVATIONS AND TO ENSURE THE CONTINUED SURVIVAL OF THEIR RESPECTIVE TRIBAL GOVERNMENTS. JUST AS IMPORTANT, MR. CHAIRMAN, IS THE SIMPLE FACT THAT THIS LEGISLATION WILL GUARANTEE BOTH TRIBES THE ABILITY TO RETAIN THEIR HERITAGE AND THEIR WAY OF LIFE -- A WAY OF LIFE TOO PRECIOUS TO TURN OUR COLLECTIVE BACKS ON.

WHILE I DO NOT WISH TO PRE-EMPT SOME OF THE TESTIMONY THAT WILL BE GIVEN LATER THIS MORNING ON THE SUBJECT OF FEDERAL RECOGNITION OF THE TIWAS AS AN OFFICIAL INDIAN TRIBE, I WOULD LIKE TO ADDRESS THIS ISSUE BRIEFLY.

IN SEARCHING FOR SOME POSSIBLE CLUE TO EXPLAIN THE LACK OF AWARENESS OF THE TIWAS BY THE FEDERAL GOVERNMENT, IT IS DIFFICULT TO ISOLATE A PARTICULAR REASON FOR THIS OVERSIGHT. SINCE THE TIWAS PEACEFULLY CO-EXISTED WITH THE WHITE MAN, AND IN FACT SERVED AS SCOUTS AND GUIDES FOR THE U. S. ARMY ON SEVERAL OCCASIONS, THE U. S. NEVER FOUND IT NECESSARY TO ENTER INTO A FORMAL TREATY WITH THE TRIBE. OTHER POSSIBLE REASONS FOR THE TIWAS ESCAPING FEDERAL AWARENESS SEEM ROOTED TO A VARIETY OF CAUSES, INCLUDING THE FACT THAT THEY NEVER OCCUPIED LAND SUBJECT TO FEDERAL JURISDICTION, THEY WERE FAR REMOVED FROM OTHER KNOWN INDIAN GROUPS, AND WHEN FEDERAL RECOGNITION WAS CONFERRED ON THEIR DISTANT ANCESTORS -- THE PUEBLO INDIANS -- THE TIWAS WERE RESIDENTS

OF TEXAS WHILE TEXAS WAS PART OF THE CONFEDERACY. JUST POSSIBLY, MR. CHAIRMAN, THE TIWAS WERE SIMPLY TOO PROUD AND RETIRING A PEOPLE TO HAVE TO REQUEST SOMETHING THAT THEY KNEW THEY ALREADY POSSESSED.

THE 1968 ACT HAS, AS ONE OF ITS PURPOSES, PROVIDED RECOGNITION TO THE TIWAS OF EL PASO AS A BAND OF AMERICAN INDIANS -- THIS IS SO STATED IN THE SENATE COMMITTEE REPORT ACCOMPANYING THE LEGISLATION. THE INTERIOR DEPARTMENT APPARENTLY, AND MISTAKENLY, PREMISES ITS POSITION ON THE FACT THAT THE LEGISLATION DID NOT MAKE THE TIWAS ELIGIBLE FOR FEDERAL SERVICES. THE LEGISLATION DOES, HOWEVER, PROVIDE RECOGNITION TO THE TRIBE AS A LEGITIMATE ONE.

ON A FINAL NOTE, MR. CHAIRMAN, I WOULD LIKE TO DIRECT THE COMMITTEE'S ATTENTION TO THE BROAD-BASED SUPPORT THROUGHOUT THE INVOLVED COMMUNITIES, THE STATE OF TEXAS, AND THE NUMEROUS NATIVE AMERICAN GROUPS FOR THIS PIECE OF LEGISLATION. I BELIEVE THAT THIS SUPPORT WILL BE EVIDENCED TO THE COMMITTEE THROUGH THE DIVERSE GROUPS TESTIFYING TODAY AS WELL AS BY THE RESOLUTIONS OF SUPPORT WHICH I WOULD LIKE TO ENTER INTO THE RECORD. THIS BILL REPRESENTS THE CULMINATION OF ALMOST TWO AND ONE-HALF YEARS OF WORK BY ALL THE INTERESTED PARTIES AND I AM PROUD TO REPRESENT THESE GROUPS AS WELL AS MY WEST TEXAS CONSTITUENTS IN SEEKING YOUR TIMELY CONSIDERATION.

WITH THAT, MR. CHAIRMAN, I WILL CONCLUDE MY PREPARED REMARKS AS I KNOW THAT THE COMMITTEE WISHES TO HEAR FROM THE NUMEROUS DISTINGUISHED WITNESSES STILL WAITING TO TESTIFY.

THANK YOU.

Office of the Governor

Telephone
(505) 869-3111
(505) 869-6333

PUEBLO of ISLETA
P.O. Box 317
Isleta, New Mexico 87022

RESOLUTION

84-051

Resolution endorsing the efforts of Ysleta del Sur Pueblo in attaining full federal trust status and recognition.

WHEREAS, the Tribal Council of the Pueblo of Isleta, New Mexico is the duly recognized legal legislative body of said Pueblo and as such is empowered to speak and act for and on behalf of the members of the Pueblo, and,

WHEREAS, the Pueblo of Isleta does acknowledge and confirm that the people of Ysleta del Sur Pueblo in Texas, also known as the Tiwa (Tigua) Indian Tribe of Texas, are direct bloodline descendants of Pueblo Indian People forcibly removed and relocated from Isleta Pueblo, New Mexico in 1680 and 1681 to their present site in El Paso County Texas, and,

WHEREAS, the People of Ysleta del Sur Pueblo constitute a Pueblo by all definitions, by virtue of having maintained their historical, legal, cultural, and religious character and existence from 1680 to the present, and,

WHEREAS, the continued existence of Ysleta del Sur Pueblo, its land, and its people has been legally recognized and confirmed by the United States Congress through P. L. 90-287 and by the State of Texas through H. B. 888 and H. B. 654, and,

WHEREAS, the same P. L. 90-287 which did transfer trust responsibility for Ysleta del Sur Pueblo from the Federal Government to the State of Texas is discriminatory and blatantly unfair in that it deprives the people of Ysleta del Sur Pueblo from enjoying all the rights, benefits, protections, and services normally guaranteed to Pueblo People and other Indians because of their status as Indians, and, WHEREAS, Texas State Attorney General's Opinion JM-17, dated March 22, 1983, has ruled that the long-standing trust relationship between the Texas Tribes and the State of Texas is illegal and this ruling is a direct threat to and an attack on the very survival of the Ysleta del Sur Pueblo and its people, and,

WHEREAS, Congressman Ron Coleman of Texas has introduced H. R. 6391, entitled The Restoration of Federal Recognition to the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribes of Texas, legislation that would restore complete federal recognition and trust status to the Ysleta del Sur Pueblo and its People, and,

WHEREAS, H. R. 6391 would guarantee the rights, benefits, protection and services to the Ysleta del Sur Pueblo and its people which affect Indians because of their status as Indians, and,

WHEREAS, the restoration of full federal recognition and trust status to Ysleta del Sur Pueblo would serve not only to afford and guarantee to it and its people the protections and amenities to which they are rightfully entitled as a Pueblo Indian People, but would help to insure the continued existence and ultimate survival of the Pueblo itself, and,

WHEREAS, Ysleta del Sur Pueblo Resolution #TC-04-84 was adopted on October 19, 1984 which formally disclaims any lands associated with the Isleta Pueblo New Mexico or any lands within the State of New Mexico, now,

THEREFORE, BE IT RESOLVED, that the Tribal Council of the Pueblo of Isleta acting in their legal capacity does hereby endorse, without reservation, the efforts of Ysleta del Sur Pueblo to attain full federal trust status and recognition and does further endorse the passage of H. R. 6391 as pertains to Ysleta del Sur Pueblo and/or other appropriate legislation necessary to accomplish this action, and,

BE IT FURTHER RESOLVED, that the Pueblo of Isleta does urge the Congress of the United States to appropriate such additional funds as necessary to provide for such protections, benefits, and services to the people of Ysleta del Sur Pueblo as they should be entitled to because of their status as Indians, and, BE IT FURTHER RESOLVED, that the Pueblo of Isleta does commit its continuing assistance to Ysleta del Sur Pueblo in this effort, and,

BE IT FURTHER RESOLVED, that the Pueblo of Isleta calls upon the All Indian Pueblo Council and its member Pueblos to unite in the effort to support the Ysleta del Sur Pueblo in guaranteeing their just rights as a Pueblo, and,

BE IT FURTHER RESOLVED, that the Pueblo of Isleta hereby recommends and requests the New Mexico Congressional Delegation to support the passage of H. R. 6391 and/or other appropriate legislation as should be introduced in the Federal Congress to restore full federal trust to Ysleta del Sur Pueblo.

CERTIFICATION

I, the undersigned, as Governor of the Pueblo of Isleta, do hereby certify that the foregoing resolution was passed at a duly called meeting of the Tribal Council of the Pueblo of Isleta, held on the 29 day of November, 1984, at which a quorum was present, with 7 voting for and 1 opposing said resolution.

Andy R Lucero

Andy R. Lucero, Governor
Pueblo of Isleta

ATTEST:

Tribal Council Secretary

EC-MYC-11-84 Tigua Restoration

NATIONAL CONGRESS OF AMERICAN INDIANS
Est. 1944

EXECUTIVE DIRECTOR
Suzan Shown Harjo
Cheyenne & Creek

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Seneca Nation

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Thomas R. White
Gila River

PORTLAND AREA
Delbert Frank
Warm Springs

SACRAMENTO AREA
Dena Turner
[illegible] Band of Luiseno

SOUTHEASTERN AREA
A. Bruce Jones
Lumbee

Resolution of the NCAI Executive Committee, May 18, 1984, in Session following the Mid-Year Conference, May 15-17, 1984, Denver, Colorado

Whereas, the Pueblo at Ysleta del Sur in El Paso, Texas, was established in 1680 and in 1751 Spain granted the land of the Ysleta Pueblo to its inhabitants as common property, which grant was confirmed by the Mexican State of Chihuahua; and,

Whereas, the State of Texas in 1854 also confirmed and provided a patent to be issued to the Tigua Tribe; and,

Whereas, the Texas Legislature in 1871 enacted an "Act to Incorporate the Town of Ysleta," which had the effect of transferring the Ysleta grants to non-Indian patents, and the Tribe lost possession of its aboriginal lands through a gradual process of encroachment by non-Indians, pursuant to State patents; and,

Whereas, the United States in 1968 provided that the federal trust responsibility was transferred to the State of Texas and, since 1968, the State of Texas has acquired over 100 acres of land which it now holds in trust as a Reservation for the Tribes; and,

Whereas, the Tigua Tribe is now subject to the Attorney General of Texas' Opinion No. JM-17, which has held that the trust relationship between the State and the Alabama-Coushatta Tribe is unconstitutional, in that the Alabama-Coushattas are no longer a Tribe and their lands are no longer an Indian Reservation; and,

Whereas, the restricted/protected status of the Tribe's Reservation is threatened; and,

Whereas, the Tigua Tribe is seeking federal restoration to assure protection of its lands;

Now, Therefore, Be It Resolved, that the National Congress of American Indians supports the Tigua Tribe of Texas in its efforts to attain federal restoration.

804 D STREET, N.E. • WASHINGTON, D.C. 20002 • (202) 546-9404

TEXAS INDIAN COMMISSION

COMMISSIONERS

DON ELLYSON
Chairman, Waxahachie

EDD PIPER
Commissioner, El Paso

OWANAH ANDERSON
Commissioner, Wichita Falls

RAYMOND D. APODACA
Executive Director
9434 VISCOUNT, SUITE 122
EL PASO, TEXAS 79925
(915) 591-4461

AGENCIES

ALABAMA-COUSHATTA
INDIAN RESERVATION
Rt. 3, Box 640
Livingston, Texas 77351
(409) 563-4391

TIGUA INDIAN RESERVATION
P. O. Box 17579
Ysleta Station
El Paso, Texas 79917
(915) 859-7913

Texas Indian Commission
Resolution TIC-85-004

Pertaining to the Federal Restoration Legislation for the Alabama-Coushatta Indian Tribe and Ysleta del Sur Pueblo, the Tigua (Tiwa) Indian Tribes of Texas.

WHEREAS, the Texas Indian Commission is the Trust Agency of the State of Texas with regard to the Alabama-Coushatta and Tigua Indian Tribe, and,

WHEREAS, its main duty and responsibility as trustee is to assist these tribes in the development of their human and economic resources by improving their health, educational, agricultural, business, and industrial capacities and to insure the protection of their lands, resources, and people, and,

WHEREAS, the Commission has sought and will continue to seek to work with the tribes in a cooperative, constructive manner, to meet its legal and moral obligations, and to protect the interests of the State of Texas and the Tribes in executing these responsibilities and duties, now,

THEREFORE, the Commission, after having thoroughly studied HR 1344 (R. Coleman and C. Wilson) as introduced in the United States Congress, does agree that it is not opposed to the passage of said legislation provided that it is in the best interests of the Tribes and the insurance of their future good and welfare.

DATE: 8/23/85

APPROVED: Don Ellyson
Don Ellyson, Chairman

I certify that the foregoing Resolution has been approved and is in the minutes of the August 23, 1985 meeting of the Texas Indian Commission.

DATE 8-23-85

APPROVED: Raymond D. Apodaca
Raymond D. Apodaca
Executive Director

RESOLUTION

The State of Texas
County of El Paso

Know All Men By These Presents:

WHEREAS, the Pueblo of Ysleta Del Sur commonly known as the Tigua Indian Community has a long and distinguished record in our community being the first permanent settlers herein; and,

WHEREAS, they have constantly been of service to this area first acting as scouts, guides and troops protecting this community from hostile Indians; and,

WHEREAS, they served with great distinction as scouts for the United States Cavalry and the Texas Rangers; and,

WHEREAS, they have maintained their tribal traditions and government and identity in spite of all adversity,

NOW, THEREFORE, in recognition of the esteem by which they are held by the citizens of El Paso County, Texas, the Commissioners' Court of El Paso County, Texas, does hereby endorse the passage of House Resolution 1344 introduced by Congressman Coleman to restore Federal recognition to the Pueblo of Ysleta Del Sur.

ENACTED this 1st day of July, 1985.

Charley Hooten
Commissioner Charles Hooten, Pct. 1

Commissioner Rogelio Sanchez, Pct. 3

Miguel Solis
Commissioner Miguel Solis, Pct. 2

Mary Haynes
Commissioner Mary Haynes, Pct. 4

PAT F. O'ROURKE
County Judge
El Paso County
El Paso, Texas

RESOLUTION

WHEREAS, the Pueblo of Ysleta Del Sur commonly known as the Tigua Indian Community has a long and distinguished record in our community being the first permanent settlers herein; and,

WHEREAS, they have constantly been of service to this area first acting as scouts, guides and troops protecting this community from hostile Indians; and,

WHEREAS, they served with great distinction as scouts for the United States Cavalry and the Texas Rangers; and,

WHEREAS, they have maintained their tribal traditions and government and identity in spite of all adversity,

NOW, THEREFORE, in recognition of the esteem by which they are held by the citizens of El Paso, Texas, the El Paso City Council does hereby endorse the passage of House Resolution 1344 introduced by Congressman Coleman to restore the Ysleta Pueblo Del Sur to restore Federal recognition to the Ysleta Pueblo Del Sur.

ENACTED this 2nd day of July, 1985 by the following vote.

YES	NO		YES	NO	
☒	☐	Jim Gold JIMMY GOLDMAN	☒	☐	Suzanne Azar SUZANNE AZAR
☒	☐	Patrick B. Haggerty PATRICK B. HAGGERTY	☒	☐	Alicia R. Chacón ALICIA CHACON
☒	☐	Orlando Fonseca ORLANDO FONSECA	☒	☐	Ed Elsey ED ELSEY

Jonathan Rogers

JONATHAN ROGERS, MAYOR

ATTEST:

Carole Hunter

CAROLE HUNTER, CITY CLERK

EL PASO CONVENTION AND VISITORS BUREAU
RESOLUTION

WHEREAS, the Pueblo of Ysleta Del Sur commonly known as the Tigua Indian Community has a long and distinguished record in our community being the first permanent settlers herein; and,

WHEREAS, they have constantly been of service to this area first acting as scouts, guides and troops protecting this community from hostile Indians; and,

WHEREAS, they served with great distinction as scouts for the United States Cavalry and the Texas Rangers; and,

WHEREAS, they have maintained their tribal traditions and government and identity in spite of all adversity,

NOW, THEREFORE, in recognition of the esteem by which they are held by the citizens of the City of El Paso, the El Paso Convention and Visitors Bureau does hereby endorse the passage of House Resolution 1344 introduced by Congressman Coleman to restore the Ysleta Pueblo Del Sur to restore Federal recognition to the Ysleta Pueblo Del Sur.

ENACTED this 30 day of June, 1985.

Don Taylor
Managing Director

ATTEST:
Graciela Stroud

EL PASO, TEXAS [illegible]
[illegible]

EDITOR

El Paso Herald-Post

May 10, 1985

Manny Silvas
Tribal Governor
Tigua Indian Reservation
P.O. Box 17579
Ysleta Station
El Paso, TX 79917

Dear Mr. Silvas:

This letter is to let you know that I support efforts to put the Tigua Indians of Ysleta del Sur Pueblo under federal jurisdiction.

The move would be especially important, I believe, if state support is cut off, as is now threatened.

I am aware of the many good things being achieved at the reservation. It has become a favored tourist spot in El Paso. I myself enjoy visiting the reservation. The restaurant is excellent, with good food and a pleasant atmosphere. I have found the reservation educational and enriching for my children. It provides an opportunity for them - and other youngsters who live in or visit this city - to be exposed to another culture.

Beyond that, I know from the facts reported in the media, as well as from my own impressions and conversations with Tiguas, that the tribe has made great strides against tremendous odds. Without governmental support, I fear these gains could be negated, and that the most desperate poverty and misery could ensue. This result would be a horror for the tribe and a blow to the whole city.

I hope Congress can be made aware of how hard you and others have worked, how successful you have been, and what a tragedy it would be to yank the rug from under you at this time of high hope and achievement.

Sincerely,

Jay Ambrose

The El Paso Times
Opinion
Page 6-A
Thursday, May 9, 1985

Editorials

Tiguas deserve federal protection

The Tigua Indians of Ysleta del Sur Pueblo have made remarkable strides in improving their living conditions in the last decade. But that progress may be stopped if Texas withdraws its support of Indian tribes in the state.

For that reason, Congress should pass legislation by U.S. Rep. Ron Coleman that would put the Tiguas under federal jurisdiction.

U.S. Rep. Morris Udall, D-Ariz., chairman of the House Interior Committee, has formally requested hearings on the bill.

Since 1968, when U.S. Congress approved the transfer of any and all federal trust responsibilities to Texas, the state has held the Tigua's 100-acre reservation in trust. It also provided administrative and economic development funding through the Texas Indian Commission. And much has been done. The Tiguas have made their reservation one of the area's top tourist attractions. More Tiguas are at work, and more are completing their education.

But because of a ruling by Texas Attorney General Jim Mattox, it all could come to a halt. Last year, Mattox issued a formal opinion in which he disputed the special relationship between the state, the Tiguas and Texas' other Indian tribe, the Alabama-Coushatta tribe near Livingston. In essence, he said the maintenance of the relationship, i.e. funding support, would run counter to the intent of the Equal Rights Amendment of the Texas Consitution.

As a result, the Tiguas, and the Alabama-Coushattas, could find that their lands are without protection. Their reservations, as well as state funding, could be jeopardized.

For that reason, Coleman has introduced legislation that would give this trust back to the federal government, so both tribes can receive the benefit of government assistance and support. His move has the support of the Tiguas and Alabama-Coushattas, state Sen. Tati Santiesteban, plus every major Indian group in the country, including the Native American Rights Fund.

The tribe has come too far to withdraw support. With assistance, the tribe might one day be able to reach the goal it wants, self-sufficiency.

El Paso Times **Opinion**

Page 4-A Thursday, March 27, 1986

Senate should pass Tiguas' legislation

Received
APR 07 1986
NATIVE AMERICAN RIGHTS FUND

When it comes to lawmaking, little details often have a way of blocking the greater good. So it has with federal legislation that would give the Tigua Indians of Ysleta del Sur Pueblo necessary federal support.

There has been a concern that, under the legislation, the Tiguas — and the Alabama-Coushatta Indians of East Texas — would be allowed to conduct unregulated hight-stakes bingo games on their reservations. In particular, Texas Comptroller Bob Bullock wanted such games to come under Texas legal jurisdiction — ostensibly to keep out organized crime, but also to make sure Texas got its share of the booty.

This month, the Tiguas put that notion to rest when they voted to prohibit gambling in any form on the reservation. They asked that a section of the federal bill be substituted with just such a provision.

They hope this will spur the bill through the Senate. The House passed the bill last year. That legislation, co-authored by Reps. Ron Coleman and Charles Wilson, both D-Texas, would put both tribes' reservations under federal trust.

Both had been under Texas care until last year when Texas Attorney General Jim Mattox ruled that Texas' financial support of the tribes ran counter to the intent of the Texas Equal Rights Amendment. That meant Texas support, which provided administrative and economic development funding to the 100-acre reservation, could come to a halt. And that's when the Tiguas appealed for federal help.

For with aid, the Tiguas have made remarkable strides in improving themselves and their living conditions in the last decade. It would be a shame to stop that progress. Final passage of this bill with the new amendment by the Senate will insure that help so that one day the tribe might be able to reach its goal of self-sufficiency.

RECEIVED
JAN 1 1985

The Senate of
The State of Texas
Austin 78711

H. TATI SANTIESTEBAN
DISTRICT 29
CARMEN BUILDING
EL PASO 79901

COMMITTEES
FINANCE
JURISPRUDENCE
NATURAL RESOURCES

CHAIRMAN
COMMITTEE ON
NATURAL RESOURCES
COMMITTEE ON
REDISTRICTING

January 11, 1985

Don B. Miller
Native American Rights Fund
1506 Broadway
Boulder, Colorado 80302

Dear Mr. Miller:

Thank you very much for your highly informative letter. It alerted me to the pressing problem that faces the Tigua and Alabama-Coushatta Tribes.

The bill proposed by U.S. Representative Coleman is potentially of great benefit to the Tigua and Alabama-Coushatta Tribes. It will provide them a defined status and will also make them eligible for federal benefits which they do not currently have. From a federal and state perspective, the bill will be beneficial, because it will establish the standing of the Tribes and clarify the uncertainties created by JM-17.

Thank you for focusing my attention on the proposed federal legislation and the current situation of the Alabama-Coushatta and Tigua Indian Tribes. Please contact me if you should need my assistance.

Sincerely,

H. Tati Santiesteban

H. Tati Santiesteban

HTS/mam

TEXAS INDIAN COMMISSION

COMMISSIONERS

EDD FIFER
Chairman, El Paso

Owanah Anderson
Commissioner, Wichita Falls

DON ELLYSON
Commissioner, Waxahachie

RAYMOND D. APODACA
Executive Director
9434 VISCOUNT, SUITE 122
EL PASO, TEXAS 79925
(915) 591-4461

AGENCIES

ALABAMA-COUSHATTA
INDIAN RESERVATION
Rt. 3, Box 640
Livingston, Texas 77351
(409) 563-4391

TIGUA INDIAN RESERVATION
P. O. Box 17579
Ysleta Station
El Paso, Texas 79917
(915) 859-7913

[illegible]
CT 25 1984

October 19, 1984

Don Miller
Native American Rights Fund
1506 Broadway
Boulder, Colorado 80306-6296

Dear Mr. Miller:

As per your request, I have reviewed H.B. 1232, legislation pertaining to the reestablishment of the trust relationship between the Alabama-Coushatta and Tigua Indian Tribes of Texas and the United States, introduced in the Congress of the United States by Representatives Ron Coleman and Charles Wilson. Additionally, I have had it reviewed by our staff and have received an appropriate review and briefing on its content, intent, and affect.

Based on our evaluation and understanding of this legislation, its background, and purpose, we find it to be appropriate and necessary for the protection of the Tribes and their people, lands, and resources.

The Texas Indian Commission will continue to work with the Tribes and all parties concerned to insure that the interests of the State and the Tribes are fully protected.

We are ready now and will continue to work with the Tribes in whatever degree and level of involvement and type relationship is determined to be most proper and beneficial for the protection of their rights, lands, and resources, and to assist them in serving the needs of their people.

I would invite you to meet with myself and the Commission staff for discussion of the legislation as soon as would be practicable.

Sincerely,

Edd Fifer
Chairman

EF/amo

EL PASO COUNTY SHERIFF'S DEPARTMENT
601 E. OVERLAND
P.O. BOX 125
EL PASO, TEXAS 79941-0125
(915) 546-2285

June 16, 1985

Congressman Ronald Coleman
416 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Coleman:

It is hardly necessary to solicit your support for legislation which you introduced, so I would like to commend you for sponsoring H.R. 1344. It is our hope that this bill meets with complete success in Congress.

The concern of many residents of El Paso County lies with the restoration of the trust relationship between the federal government and the Tigua Tribe. Since the State of Texas may withdraw its support and obligation to the Tiguas, it is imperative that these people be allowed the same protection afforded other Native Americans by the federal government.

We thank you for your vision and support in this matter.

Sincerely,

Leo Samaniego

Leo Samaniego, Sheriff
El Paso County, Texas

LM/lm

cc: Trinidad Granillo, Chief
Tigua Indian Reservation

PREPARED STATEMENT OF ROSS O. SWIMMER, ASSISTANT SECRETARY OF THE INTERIOR FOR INDIAN AFFAIRS

Mr. Chairman, thank you for the opportunity to present the views of the Department of the Interior on H.R. 1344 in the Senate, an act "To provide for the restoration of Federal recognition to the Ysleta del Sur Pueblo and the Alabama and Coushatta Indian Tribe of Texas, and for other purposes."

On October 17, 1985, we testified before the Committee on Interior and Insular Affairs in the U.S. House of Representatives and recommended deferral of action on H.R. 1344 pending our determination that the two Tribes meet existing criteria which would make them eligible for Federal benefits as tribes. Since that time, additional information has been submitted to us and we will not object to enactment of H.R. 1344 if it is amended as described in my statement today.

H.R. 1344 would confirm Federal recognition of the Ysleta del Sur Pueblo and restore it to the Alabama and Coushatta Indian Tribe of Texas. Since we view the Federal relationship with the Ysleta del Sur Pueblo as being very different than the Federal relationship with the Alabama and Coushatta Tribe, I would like to speak to each title of the bill independently.

Title I of H.R. 1344 would confirm Federal recognition of the Ysleta del Sur Pueblo including the trust relationship between the United States and the Tribe and all their rights and privileges which were diminished or lost under the termination act. The Tribe would be eligible for services extended to federally recognized Indian tribes. The State would continue to exercise civil and criminal jurisdiction in the reservation and the State's power to enact legislation benefiting the Tribe would not be affected. The existing tribal council would have authority to enter into grant and contract arrangements with Federal agencies and to administer programs for the Tribe. Land could be taken in trust by the Secretary for the benefit of the Tribe if located in El Paso or Hudspeth Counties, Texas.

The Ysleta del Sur Pueblo (also known as the "Tiguas" or "Tiwas") is a group of some 1,175 people who live on a State reservation of approximately 100 acres in El Paso County, Texas. Ancestors of these people originally left the Ysleta Pueblo of New Mexico in 1680 following the Pueblo Indian revolt. The Federal Government has neither provided services to them as Indians nor entered into a treaty or other government-to-government arrangement with them. Therefore, our information regarding this group is largely based on the legislative history of the Act of April 12, 1968 (82 Stat. 93), which transferred the Federal responsibility for the Tribe "if any" to the State of Texas, and the information we have received from the Tribe and the Texas Indian Commission.

In our earlier statement we objected to the restoration of the Ysleta del Sur Pueblo because we viewed this bill as proposing to give this group a Federal status it never had. We further stated that the issue of recognition would be best resolved by use of the existing Federal acknowledgment criteria under 25 CFR Part 83 that we use in determining whether any group should be acknowledged as a federally recognized Indian tribe. A copy of the acknowledgment criteria is attached to my statement. Since that time, the Tribe has submitted additional data. Based on our review of the information submitted it appears that the Tribe meets our mandatory criteria for Federal acknowledgment. However, neither this documentation nor our evaluation of it has approached the level required of other Indian groups seeking Federal acknowledgment.

Although it continues to be our view that all groups seeking initial eligibility for Federal benefits as an Indian tribe should complete our usual acknowledgment process, we will not object to the enactment of an amended title I of H.R. 1344 because:

(1) of the unique circumstances involving the 1968 Act in which Congress stated that (A) the tribe shall "be known and designated as Tiwa Indians of Ysleta, Texas", (B) any Federal responsibility for them was transferred to the State of Texas, and (C) that "none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Tiwa Indians of Ysleta del Sur", thereby precluding our acknowledgement of them under 25 CFR Part 83;

(2) the tribe's relationship with the State of Texas as a tribe for which the State has appropriated funds through the State's Indian Affairs Commission;

(3) the tribe's acceptance as a Pueblo by the Federally recognized Pueblos of New Mexico which are among the most traditional of Indian tribes; and

(4) our above mentioned review of the information available to us at this time.

We have discussed with the Tribe and the staff of this Committee the need for some amendments to meet our concerns regarding the Tribe's membership criteria and the adoption of a constitution and bylaws. For the first time we are recommending a legislative distinction between tribal membership and eligibility for Federal services. Section 108 should be amended to lock in the Tribe's current membership requirements (which include a 1/8 degree descendancy requirement) as the basis for determining tribal members to be Indians for purposes of Federal law, including Federal Indian services and funding purposes, but the Tribe should remain able to change its membership requirement for tribal purposes. The amendment should authorize the Secretary to review the tribal membership roll at any time and, in consultation with the Tribe, determine if a person is ineligible to be an Indian for purposes of Federal law and Indian services, and those individuals determined ineligible are not to be counted by the Tribe for any formula funding purposes. The amendment should not preclude the application to the Tribe's members of any additional requirements or restriction on eligibility for Federal Indian benefits that would otherwise be applicable.

We realize this procedure is a departure from our general policy of providing Federal services to federally recognized Indians as determined by tribal membership, but we think that this solution meets our concern of having to provide services to increasing numbers of tribal members and still allows the Tribe to determine tribal membership. Moreover, we believe that the Congress should place some limit on the potential service population of tribes being made eligible for Federal benefits for the first time.

We would like to express our concern with the provision in title I requiring the Secretary to submit a plan for reservation enlargement plan, in the form of proposed legislation, to the Congress. The provision does not indicate how any land acquisition would be financed. We must emphasize that in the current fiscal climate expenditures for land acquisition are an extremely low priority.

Title II of the bill would restore Federal recognition to the Alabama and Coushatta Tribe including the Federal trust relationship and all their rights and privileges which were diminished or lost under the termination act. The Tribe would be eligible for services extended to federally recognized tribes. The State would continue to exercise civil and criminal jurisdiction in the reservation and the State's power to enact legislation benefiting the Tribe would not be affected. The Tribe's current constitution and bylaws would be accepted by the Secretary of the Interior and the tribal council would have authority to represent the Tribe and its members in the implementation of the Act. If the tribal council requests an election to adopt a new constitution and bylaws, the Secretary shall conduct the election. The Tribe's land may be taken in trust by the Secretary for the benefit of the Tribe.

The Tribe has some 500 members and a reservation of about 4,600 acres in Polk County, Texas. The Federal trust responsibility was terminated under the Act of August 23, 1954 (68 Stat. 768; 25 U.S.C. 721) which transferred the trust duties from the Federal Government to the State of Texas. Federal laws and programs for Indians no longer applied to the Tribe or its members, except that its members were authorized to attend BIA schools and go to Indian Health Service hospitals. The Tribe continued to operate under its Federal Constitution (with amendments necessary because of the 1954 Termination Act) and until recently the State provided funds to the Tribe.

On March 22, 1983, the Attorney General of Texas issued an opinion questioning the trust relationship between the State and the Alabama and Coushatta Tribe. The opinion held that as a result of the 1954 Termination Act, the Tribe no longer exists and its lands no longer constitute an Indian reservation. It is our understanding that the Tribe has received notice that taxes are due on its land. It is apparent that the opinion impacts both tribes dealt with in H.R. 1344.

In our statement before the House of Representatives we said we needed more information to determine if the Alabama and Coushatta Tribe met the Administration's restoration criteria (copy attached). We subsequently requested and received information from the Texas Indian Commission which we find verifies that the Tribe does meet our restoration criteria. A copy of the report is attached to my prepared statement.

We also had a concern about accepting the Tribe's current constitution. By working with the Tribe's attorney and this Committee's staff, we have agreed that an amendment to the bill providing that the Tribe's constitution is subject to the Indian Civil Rights Act and other applicable laws would meet this concern.

In conclusion, we do not object to enactment of H.R. 1344 with the amendments described in this statement. I will be happy to answer any questions the Committee may have.

ATTACHMENT A

Criteria for Federal Acknowledgement

25 CFR 83.7(a) - (f)

"(a) A statement of facts establishing that the petitioner has been identified from historical times until the present on a substantially continuous basis, as "American Indian", or "aboriginal". A petitioner shall not fail to satisfy any criteria herein merely because of fluctuations of tribal activity during various years. Evidence to be relied upon in determining the group's substantially continuous Indian identity shall include one or more of the following:

(1) Repeated identification by Federal authorities;

(2) Longstanding relationships with State governments based on identification of the group as Indians;

(3) Repeated dealings with a county, parish, or other local government in a relationshipo based on the group's Indian identity;

(4) Identification as an Indian entity by records in courthouses, churches, or schools;

(5) Identification as an Indian entity by anthropologists, historians, or other scholars;

(6) Repeated identification as an Indian entity in newspapers and books;

(7) Repeated identification and dealings as an Indian entity with recognized Indian tribes or national Indian organizations.

(b) Evidence that a substantial portion of the petitioning group inhabits a specific area or lives in a community viewed as American Indian and distinct from other populations in the area, and that its members are descendants of an Indian tribe which historically inhabited a specific area.

(c) A statement of facts which establishes that the petitioner has maintained tribal political influence or other authority over its members as an autonomous entity throughout history until the present.

(d) A copy of the group's present governing document, or in the absence of a written document, a statement describing in full the membership criteria and the procedures through which the group currently governs its affairs affairs and its members.

(e) A list of all known current members of the group and a copy of each available former list of members bvased on the tribe's own defined criteria. The membership must consist of individuals who have established, using evidence acceptable to the Secretary, descendancy from a tribe which existed historically or from historical tribes which combined and functioned as a single autonomous entity. Evidence acceptable to the Secretary of tribal membership for this purpose includes but is not limited to:

(1) Descendancy rolls prepared by the Secretary for the petitioner for the purposes of distributing claims money, providing allotments, or other purposes;

(2) State, Federal, or other official records or evidence identifying present members as being an Indian descendant and a member of the petitioning group;

(3) Church, school, and other similar enrollment records indicating the person as being a member of the petitioning entity;

(4) Affidavits of recognition by tribal elders, leaders, or the tribal governing body, as being an Indian descendant of the tribe and a member of the petitioning entity;

(5) Other records or evidence identifying the person as a member of the petitioning entity.

(f) The membership of the petitioning group is composed principally of persons who are not mbmebers of any other North American Indian tribe."

ATTACHMENT B

Administration's Criteria for Restoration of Terminated Tribes

(1) There exists an ongoing, identifiable community of Indians who are members of the formerly recognized tribe or who are their descendants;

(2) The tribe is located in the vicinity of the former reservation;

(3) The tribe has continued to perform self-gaoverning functions either through elected representataives or in meetings of their general membership;

(4) There is widespread use of their aboriginal language, customs, and culture;

(5) There has been marked deterioration in their socio-economic conditions since termination; and

(6) Their conditions are more severe than in adjacent rural areas or in other comparable areas within the State.

ATTACHMENT C

TEXAS INDIAN COMMISSION

COMMISSIONERS

[illegible] ELLYSON
Chairman, Waxahachie

[illegible] PIPER
Commissioner, El Paso

[illegible] ANDERSON
Commissioner, Wichita Falls

RAYMOND D. APODACA
Executive Director
8705 SHOAL CREEK BLVD., SUITE 214
P.O. BOX 12030 CAPITOL STATION
AUSTIN, TEXAS 78711
(512) 458-1203

AGENCIES

ALABAMA-COUSHATTA
INDIAN RESERVATION
Rt. 3 Box 640
Livingston, Texas 77351
(409) 563-4391

TIGUA INDIAN RESERVATION
P. O. Box 17579
Ysleta Station
El Paso, Texas 79917
(915) 859-7913

MAR 0 4 1986
NATIVE AMERICAN
RIGHTS FUND

February 27, 1986

Hazel E. Elbert, Acting Director
Office of Indian Services
Bureau of Indian Affairs
U.S. Department of the Interior
Washington, D.C. 20245

Dear Ms. Elbert:

In your letter of January 8, 1986, you requested the Texas Indian Commission's analysis of how the Alabama-Coushatta Tribe and its members meet each of the Administration's criteria for restoration of terminated tribes. I am pleased to provide the following analysis on behalf of the Texas Indian Commission for your perusal and consideration:

Item (1) There exists an ongoing, identifiable community of Indians who are members of the formerly recognized tribe or who are their descendants.

The Alabama-Coushatta tribal community continues to exist on the Tribe's 4,600-acre Reservation 17 miles east of Livingston, Texas. The existence and continuity of the community was unaffected by termination in 1954: the large majority of tribal members resided on the Reservation prior to termination and continued to live there after termination and until the present. After termination, the Tribe continued to maintain, and does to this day, its full-blood Indian membership requirements as set forth in its IRA constitution, which was unaffected by the termination act except insofar as the approval powers of the Secretary were concerned. See 25 U.S.C. § 723. Like the tribal community itself, the existence of the Tribe's Reservation was unaffected by termination. After termination, the Reservation was administered by the State of Texas, first by the Board of Hospitals and Special Schools and later by the Texas Indian Commission.

Item (2) The tribe is located in the vicinity of the former reservation.

The Alabama-Coushatta Tribe meets this criteria. See (1) above.

Item (3) The Tribe continues to perform self-governing functions either through elected representatives or in meetings of their general membership;

The existence and function of Alabama-Coushatta Tribal government was unaffected by the 1954 Termination Act. The Tribe adopted an IRA constitution in 1938 and has continuously operated under that same constitution, as amended, until the present. Tribal powers under the constitution were largely unaffected by the 1954 Act. See 25 U.S.C. § 723. The Statement of Chairman Morris Bullock on H.R. 1344, before the House Interior Committee, 10-17-85, contains an accurate description of Alabama-Coushatta tribal government. In addition, the Texas Indian Commission Act enumerates certain tribal powers under state law, including the power to contract with state agencies and local governments and issue tax-exempt revenue bonds. See Art. 5421z, as amended, contained in "Texas Indian Commission Profile and History," attached to my testimony for the Commission entitled. "Statement of Raymond Apodaca, Executive Director of The Texas Indian Commission, on H.R. 1344, October 17, 1985." (Copy enclosed).

The Tribal government oversees all facets of the operation and management of the Tribe's 4,600-acre Reservation, subject to Texas Indian Commission trust responsibility. The Tribe manages or supervises a one million dollar a year tourist industry, a pottery factory, tribal housing, roads, a water system, oil and gas leasing and production, as well as the powers enumerated in the tribal constitution.

Item (4) There is widespread use of their aboriginal language, customs, and culture.

The Alabama-Coushatta Tribe satisfies this criteria. All adult members of the Tribe speak, as their first language and conduct daily affairs and tribal business in their native language. The traditional Chief, appointed for life, sits as an ex-officio member of the elected tribal council. Traditional crafts, such as basket-making, are still practiced.

Item (5) There has been a marked deterioration in their socio-economic conditions since termination.

We are not aware of any studies that analyze the socio-economic conditions of the Alabama-Coushatta Tribe at the time of termination. The termination process was not structured to facilitate post-termination analysis of its socio-economic affects upon tribes and tribal members. Because of the lack of termination-era socio-economic data, it is impossible to determine with certainty whether the Tribe's socio-economic condition has deteriorated.

We do know, however, that despite the efforts of the State of Texas in the period since termination, see generally Statements of Morris Bullock and myself, Raymond Apodaca, Executive Director of The Texas Indian Commission, on H.R. 1344 before the House Interior Committee, October 17, 1985, serious health, educational and unemployment problems persist on the Reservation that are typical of Indian reservations throughout the United States. See American Indians in Texas, A Status Report, Texas Indian Commission (Jan. 1984) (copy enclosed). For example, recent studies by the University of Texas Health Science Center at the Houston School of Public Health, and other studies between 1979 and 1982, indicate that 44% of the Alabama-Coushatta population suffers from diabetes; 40% suffers from high blood pressure; 30% suffers from a combination of diabetes and high blood pressure, 47% suffers from arthritis and 70% have serious sight deficiencies. Id. at 16; see also 9-16-85 Memorandum, to Reservation Superintendent from Director/Coordinator, Head Start Program; contained in Testimony of Morris Bullock at pp. 49-54. The testimony of Tribal Chairman Bullock before the House Interior Committee contains the most accurate and up-to-date description of the socio-economic condition of the Tribe. Chairman Bullock testified that in August, 1985, Reservation unemployment stood at 34%. However, during the winter season when the tribal tourist enterprise closes, reservation unemployment exceeds 40%. See Report of Lynn Howard, Employment and Training Program Director, September 11, 1985 contained in Testimony of Morris Bullock, at pp. 55-60.

Item (6) Their conditions are more severe than in adjacent rural areas or in other comparable areas within the State.

The Texas Indian Commission has not compiled data comparing the Alabama-Coushatta Tribe to the adjacent rural area in Polk County. However, the Commission did compare data for the Alabama-Coushatta Reservation with the averages for the nearby Houston area. Using 1980 Census data, 1983 updates from the U.S. Dept. of Labor, the Information Analysis Department of the Texas Education Agency and our Reservation Planning Offices, the Commission compiled the following comparisons:

	Houston (Gen)	Alabama-Coushatta Indians
Median Education (years)	12.7	10.0
Unemployment	5.2%	37%
Median Family Income	$26,600	$7,000
At or below poverty level	8.0%	21%
Substandard housing	1.2%	6%
Average Family size	3.37	4.5

American Indians in Texas, id. at 10.

If the Texas Indian Commission can provide additional information, please do not hesitate to contact me. We appreciate your interest and concern in the welfare of the Indians of Texas.

Sincerely,

Raymond D. Apodaca
Executive Director

PREPARED STATEMENT OF RAYMOND D. APODACA, EXECUTIVE DIRECTOR, TEXAS INDIAN COMMISSION AND SPOKESMAN FOR YSLETA DEL SUR PUEBLO

My name is Raymond D. Apodaca and I am Executive Director of the Texas Indian Commission. As such I have been authorized to appear before you to testify on behalf of the Commission and answer any questions that might arise regarding the current status, history, and relationship of the Texas Indian Commission and the Alabama-Coushatta and Tigua Indian Tribes of Texas.

Attached to this testimony you will find a general summary description of the Texas Indian Commission, it's history, structure, legislative mandate, working relationship with the American Indian population of Texas, and it's appropriations history.

However, at this time I will address these only as they relate to or affect the Alabama-Coushatta and Tigua Indian Tribes specifically.

As noted in the historical summary, prior to 1928 the Republic, and later the State of Texas, maintained a direct and indirect relationship with the Alabama-Coushatta Indian Tribes through a variety of means and programs.

From 1928 to 1954 the Alabama-Coushatta Indian Tribes were under Federal Trust, however the State of Texas continued to provide funds, assistance, services and even a reservation superintendent under the supervision of the State Board of Control.

In 1954 the Alabama-Coushatta Indian Tribes were terminated from Federal Trust by the U.S. Congress in the Act of August 23, 1954, 68 Stat. 768, 25 U.S.C. 721 to 728 and trust was assumed by the State with superintendency, services, assistance, and funds provided, through 1965, under the supervision of the Board of State Hospitals and Special Schools. In that year, the State Legislature created the Texas Commission for Indian Affairs as a separate agency of the State.

In 1967, the Texas Legislature provided that, "If the Congress of the United States so legislates, and the Tigua Indian Tribe indicates its consent by appropriate resolution, the governor may accept on behalf of the state a transfer of the trust responsibilities of the United States respecting the Tigua Indian Tribe. Those trust responsibilities shall be administered by the Commission for Indian Affairs." By this legislation, the Commission was restructured and authorized to assume trust responsibility for the Tigua Indians of Ysleta del Sur Pueblo in El Paso.

In 1968, Congress passed PL90-287, recognizing the "Tiwa Indians of Ysleta (Isleta) del Sur Pueblo" as an Indian Tribe and transferring responsibilities to the State of Texas.

The state statutes establishing and empowering the Commission and defining its basic responsibilities were subsequently amended in 1975 and 1977 resulting in, among many other changes, the present structure, functions, responsibilities, and name, the Texas Indian Commission.

In 1983, the Commission legislation was again amended, along with the state tax codes, to clarify the state tax status of the two state trust tribes. As a result, the tribes are exempt from certain state sales taxes, are empowered to issue tax exempt revenue bonds, and are authorized to contract with sub-divisions of state government. Finally, in 1985, the Texas Indian Commission Act was amended to provide a more detailed enumeration of the Commission's authority, role, and responsibilities. The 1985 Amendments also authorized the Commission to assist the Texas Band of Traditional Kickapoo (in Eagle Pass) who are under federal trust.

The State of Texas acquired trust responsibility and authority for the Alabama-Coushatta and Tigua Indian tribes of Texas as the result of termination by the federal government and voluntary assumption of trust by the State legislature, the former in 1954 and the latter in 1968. In the case of these two tribes, the Texas Indian Commission acts and has full responsibility as the state's trust agency. This trust responsibility is seen as similar to the legal relationship maintained by the Federal government to federally recognized or federal trust tribes. It is a fiduciary responsibility to protect the legal status; lands, properties, and resources; and welfare, lives and existence of the tribes, their governments, and people.

As defined by Article 5421z VTCS, the state statutes which created, empower, and govern the Commission, mandate full responsibility for "... development of the human and economic resources of the Alabama-Coushatta Indian Reservation and the Tigua Indian Reservation, and to assist the Texas Indian people in making their reservation self-sufficient." More specifically as defined in the statutes, the State through the Commission is to "...assist the Texas Indian tribes in improving their health, educational, agricultural, business, and industrial capacities."

Because of their status as "state-recognized" or "state-trust" tribes, these two tribes and their members are not eligible for Bureau of Indian Affairs programs, Indian Health Service programs, programs of funding under PL93-638, the American Indian Self-Determination and Education Assistance Act, and a variety of similar programs funded by the Federal government and created specifically to assist Indians in the areas of education, health, social services, and grant-in-aid, economic development, tribal resources protection, development and management, and self-government.

The Commission through development, coordination, and management of state grants and contracts, various federal grants, grants-in-aid, gifts, and through assisting the tribal governments in the management of their financial resources (income), development, and management of tribally owned businesses (tribal enterprises) has sought to fill the needs left by the lack of eligibility and the service voids.

State appropriations as provided through the Texas Indian Commission, although appearing quite substantial at times, have been limited in application and use by the method of appropriation primarily to staff salaries and administrative and maintenance support services. Human services, as just noted above, have had to be developed from other sources. The effectiveness of state operations has also been seriously compromised by the erratic nature of state appropriations from 1968 to 1980. Reservation operations have been buffeted by drastic changes from one fiscal year to the next, sometimes rising or plunging as much as 300% (Ref. History of Appropriations in Summary).

However, in spite of untrained personnel, lack of a local financial base, and great inconsistency in amount and applicability of state appropriations, we believe that the State through its Indian Commission has done an exemplary job in the area of economic development. In recent years, the Commission has worked closely with the Tribes, and the resulting tribal enterprises are well-planned, sound, and are well on their way to becoming financially stable. This is not to say however, that they do not need to further develop and strengthen their economic base, or that they are in any way economically self-sufficient and worry-free. The Alabama-Coushatta possess some natural resources and with proper assistance have the potential to attain a substantial measure of economic independence. The Tigua, on the other hand, lack natural resources and a land base sufficient to encourage expantion and growth.

Because of their ineligibility for programs, services, and benefits provided by the Federal government to Indians "because of their status as Indians" (ie. BIA, IHS, PL93-638, and other related services), as well as the lack of specific state services or appropriations for services for Indians, the area of greatest unaddressed need for these two tribes is that of human development services, (education, health care, services to the elderly or infants and youth, and alcohol/substance abuse treatment, etc.).

Both tribes have serious needs for financial aid and assistance for tribal members in post-secondary education. Current educational opportunities are severely limited. In the past, the Alabama-Coushatta Tribe has attempted to assist tribal members through a loan system supported with tribal funds. This has been limited, however, by availability of tribal revenues and increasing need. In the case of the Tigua, tribal funds have not been available and outside sources range from extremely limited to practically non-existant.

In the area of health care and other basic human service resources, with the exception of limited transportation and referral services provided by the tribes, there is relatively little available. These tribes are small, with a combined population of less than 1,700 and often do not fare well in competition with other larger and more powerful minorities for increasingly limited funds and programs. The future outlook for obtaining, developing, and maintaining meaningful, productive services for these two tribes from state sources is not encouraging.

In addition to the critical lack of educational assistance and the need for health services, the tribes have recently encountered serious problems of a very different nature. The "new" problems are problems which threaten the very existence of the tribes, their lands, and resources, and therefore their members and their welfare. In March 1983, the Attorney General of the State of Texas, Jim Mattox, in response to a request for opinion by the State Parks and Wildlife Commission on the question of state regulation of hunting on the Alabama-Coushatta Reservation, issued Attorney General's Opinion JM-17. This opinion not only asserts the State's right to regulate hunting on the Reservation, but questions the very existence of the Reservation and Tribe by ruling unconstitutional the "trust" relationship between the State and Tribe. It questions the constitutionality of the State providing funding specifically for programs that benefit tribal members and whether the state can accept or hold in trust lands for the tribe.

As a result of this Attorney General's Opinion, several things have happened that threaten the welfare and future of these two tribes. The State Comptroller has questioned whether state appropriations may be expended on the Commission and the Tribes and has for nearly two years, withheld severance taxes on gas and oil production on tribal lands. The Texas Indian Commission was forced to refuse to take tribal lands into trust. And taxing entities such as the school district, counties, water districts, and others have begun to issue tax notices to both tribes in their resources and lands. .

The Alabama-Coushatta Tribe has filed suit in defense of the attack on them by this opinion. Even if they should be successful, there are no assurances that these problems will end, that similar opinions will not be issued again in the future, and more burdensome lawsuits will be required. Since our testimony before the House Interior Committee, Subcommitee on Indian Affairs, on October 17, 1985, an additional problem has arisen with the Texas State Comptroller freezing the entire Alabama-Coushatta Mineral Fund. The Comptroller premised this action upon assumption that the Alabam-Coushatta Mineral Fund had been appropriated by the State Legislature to the Texas Indian Commission and should be considered "agency" funds. An Attorney General's opinion has been requested by the Comptroller on the Tribe's ability to use any of their funds from this Mineral Fund. In the mean time, the "freeze" has had the affect of depriving the Tribe the use of their own money.

In the most recent session of the State Legislature, 69th Regular Legislative Session 1985, the Alabama-Coushatta Reservation was appropriated no monies from state general revenue funds and the Tigua Reservation was cut approximately 6%. Although cuts were relatively slight for the Tigua this time, notice has in effect been given by the legislative committees to the Tigua that they too can look forward to progressive cutbacks leading to a phasedown and eventual phaseout of state funds in the very near future.

While the Texas Indian Commission remains committed, as is our legal mandate, to continue to work with, assist, and protect the Tribes and their members, the Commission is concerned that their future and welfare is threatened. There is concern that there is a growing attitude in our State Legislature that Texas should not be involved in the role of being trustee for these tribes, that the State has no obligation or responsibility in this sense. We are disturbed by the attitude expressed by many legislators that the State should "get out of the Indian business" and concerned that this attitude will eventually prevail, leading to the point that a full termination of both tribes will be affected by the State.

We believe that the possibility of such a termination is a reality. This reality is as immediate as the possibility of the courts upholding JM-17, as the Legislature refusing to further fund the Reservations, or a major amendment or repeal of the state statutes affecting the Commission and the State's relation to the tribes.

As a result of this situation we believe that the future of these tribes is seriously threatened. The Texas Indian Commission therefore, respectfully requests this Committee and the Congress to act in the best interest of the Tribes. That you act to insure the future good and welfare of these people and the protection of their resources, lands, and status as American Indians. And that if this can best be accomplished by restoration to federal trust status, that you enact passage of H. R. 1344.

Spokesman for Ysleta del Sur Pueblo

My name is Raymond Duran Apodaca. I would like to thank the Chairman and this Committee for allowing me the opportunity to appear before you. I am a Pueblo Indian. I am an enrolled member of Ysleta del Sur Pueblo, Texas, and am a direct descendant of Isleta Pueblo, New Mexico. I am proud of the fact that my family has always been actively involved in the affairs, religious life, and government of Ysleta del Sur Pueblo. Among these are Ignacio Duran, Tribal Governor in 1835, my great-great grandfather Jose Maria Duran who was a leader of the Pueblo during the famous Salt Wars and Governor in 1881 and 1882 during the visits of John G. Bourke and H.F.C. Ten Kate, my great uncle Sebastian Duran who was one of the leaders to make President Franklin Roosevelt an honorary member of the Pueblo as part of the Texas Centennial in 1936 and served as Governor in the 1940's, and the many other family members throughout our history who held various religious and civil office. I am most proud and honored, however, to have been asked by my Pueblo to serve as their spokesman.

It is with a sense of humility, as well as with knowledge of the responsibility that has been given me by my people as their spokesman, that I come before you to make this presentation on their behalf. Our request, in essence, is that you help our people survive as Indians and as a Pueblo; and that you help us preserve and protect for ourselves, our elders, and our children, our birthright. In order to understand our present situation and need, an understanding of our history is necessary.

The Pueblo of Ysleta del Sur was created by the relocation of a portion of the population of the original Isleta Pueblo, New Mexico, to the area of El Paso del Norte on the middle Rio Grande. In 1680 and 1681, as a result of the Great Pueblo Revolt, the Spanish relocated our people to the Pueblo we occupy today.

It is unclear whether our ancestors from New Mexico who comprised the original mixed group of 317 Pueblo Indians in the first Spanish retreat in 1680 came voluntarily or not. It is certain, however, that the 385 Isletas captured and brought to El Paso in 1681 after an unsuccessful attempt at reconquest of the North by the Spanish were relocated by force. The captives were used as a shield by the Spanish and kept from rejoining the Revolt. As noted at the time by the Spanish leader, Governor Otermin, "protection would thus be afforded [the Spanish] along with retreat and also the danger of the Indians returning to apostacy would thereby be relieved."

The Pueblo of Ysleta del Sur was created at its present site in late 1680 and early 1681. Our people were immediately pressed into labor to build the mission church that still serves the Pueblo today. Community buildings, family dwellings and common farm lands were laid out in the traditional Pueblo manner. All this was done with great care being given to keeping our people separate from the Spanish and on our own lands.

In 1751, a four-league grant was made by the Spanish King Carlos V to our Pueblo, similar to those made to our sister Pueblos to the north. This grant was subsequently recognized and reaffirmed by the Republic of Mexico, the Republic and State of Texas, and the various local governments which dealt with the Pueblo.

In the 1840's our pueblo was treated in the same manner and with the same status as the rest of the New Mexico Pueblos by the Government of the United States until they were separated through the formation of the New Mexico Territory in 1850.

During the 1860's and 70's we were subject to circumstances and events beyond our control that led to alienation of our lands. In 1861, Texas seceded from the Union and did not rejoin until 1870; thus, the Pueblo did not receive either the "Lincoln Canes" or the land patent on the Spanish Grant issued by President Abraham Lincoln to the other Pueblos in 1864. Later, from 1871 to 1874, actions by the State, including incorporation of the Town of Ysleta, resulted in immediate and long-term dispossession of virtually all the Pueblo's lands. But despite the loss of our tribal lands, we maintained our traditional form of government and continued to live in the immediate area of our mission church.

In the late 1890's and early 1900's, many of our people attended the New Mexico Indian School in Albuquerque, with several going on to the Luepp Indian School in Arizona, Haskell and Carlisle.

In 1967, the Texas State Legislature recognized our Pueblo under the name of the Tigua Indian Community as a Texas Indian tribe and authorized assumption of trust by the State if authorized by the Congress of the United States.

In 1968, the Congress of the United States passed the Tiwa Indian Act, P.L. 90-287, which was signed by President Lyndon B. Johnson. The Tiwa Indian Act recognized "the Tiwa Indians of Ysleta del Sur Pueblo" as an American Indian tribe, and transferred "responsibility, if any, for the Tiwa Indians of Ysleta del Sur . . . to the State of Texas." Attached to my testimony is a detailed chronology of our Pueblo's history over the past 400 years. It was prepared by Tom Diamond, an attorney who has represented our Pueblo for nearly 20 years and whose testimony you will hear shortly.

The Ysleta del Sur Pueblo is proud of having continuously maintained our traditions over the many years of separation from the other Pueblos along the Rio Grande. Our Pueblo is headed by a Taikabede or Cacique (traditional religious leader/patriarch) or principle town chief who is the inheritor of his position from an unbroken line of Caciques dating back to our origins in Isleta, New Mexico. We still have our religious/ ceremonial dances on prescribed days and required occasions throughout the year. While practicing Christianity, primarily Roman Catholicism, we have never abandoned our native beliefs and practices. We still practice our original native religion with its proper ceremonies and doings. Traditional Pueblo values, social practices and relationship are maintained. And although almost entirely lost in common usage, we do still have people who can speak and/or understand our original Isleta (Tiwa) language.

Our Pueblo government is based on traditional Pueblo governmental structure with our Tribal Governors, Officials and

Council deriving their authority, roles and responsibilities from an unbroken line of traditional governments dating back to the 1680's. As part of our long struggle to maintain tradition, our people have consistently refused outside pressures and suggestions to change or "modernize" our government. Following tradition, our tribal governors are selected annually by the Cacique and confirmed by the people (adult males) in a community "junta" or meeting held on December 31. Council members are also appointed or selected in the same manner. Additionally, as part of our religious governing structure, we also have our traditional War Chief, or Capitan de Guerra, for subordinate or assistant capitones and mayordomos (fiscales). The governors are empowered and vested in office with the traditional canes of office and "blessing" by the Cacique. In a similar fashion, major officials are empowered by the canes or "mothers" and traditional charge and blessing by the Cacique.

For many years, contacts between our Pueblo and our sister Pueblos in the north have been sporadic and few in number. In the 1890's they became more frequent, at least on an individual or family basis, in many cases with people from Ysleta del Sur moving to and living in Isleta, and visa versa, and with intermarriage.

In 1967, the support of Isleta was instrumental in recognition by the State and federal government. In our current effort, we enjoy and certainly appreciate more than we can ever express the support of Isleta Pueblo and all the other Pueblos in New Mexico.

Today, however, we, together with the Alabama-Coushatta Tribe, are faced with a threat to our very survival. Under federal law we are not eligible for the benefits, protections and services provided by the United States to other American Indians. In our present status as a state-recognized tribe, we do not receive much-needed educational and health care assistance for or children, or services for our elderly. But most important, our land does not have the protection of federal law as do the lands of our sister Pueblos. And the long-term future of our Reservation now appears to be in doubt. State appropriations have become increasingly difficult to secure. Attorney General Mattox has ruled that the State may not legally serve as trustee for tribal lands and we have received notice that our Reservation lands and tribal property will be placed on local tax rolls. Indeed, the State has completely cut off funds to the Alabama-Coushatta Tribe. We believe that these recent developments amount to a very real possibility of termination by the State in the near future.

If we are to continue on the road to economic self-sufficiency--indeed, if we are to survive as a traditional Indian people--our lands must be protected. Our children must have an opportunity to live in good health and attain a good education. Our Tribe has made great strides forward in the last 20 years. But there is still far to go. If the special status of our lands, our government, and indeed our new businesses, is destroyed now, it is unlikely that we could survive as a Tribe. We ask only that we be restored to the same status that other Indian tribes in this country enjoy. H.R. 1344 would accomplish this, and provide the people of Ysleta del Sur with the tools to continue their development toward economic and social self-sufficiency as an Indian tribe.

The poet David Martin Ney has written:

"We shall learn all these devices the White Man has.
We shall handle his tools for ourselves.
We shall master his machinery, his inventions, his
  skills, his medicine, his planning;
But we'll retain our beauty
And still be Indian."

It is this that we seek for our children and their children after them. We ask you to pass H.R. 1344 and restore full federal trust to the Pueblo of Ysleta del Sur.

Respectfully submitted,

Raymond D. Apodaca

Basic Chronology of Significant Dates and Events in the History of Ysleta del Sur Pueblo, Texas

1680	August 10	- Beginning of the Pueblo Revolt.
	September 13	- Retreat from New Mexico by Spanish to El Paso del Norte "taking with them" a group of 317 Pueblo Indians.
	October 12	- Founding of "Sacramento de Los Tihuas de Ysleta" later to be known as "Pueblo de Corpus Christi de la Ysleta", the "Pueblo de San Antonio de Ysleta", and finally "Pueblo de Ysleta del Sur."
1681	January	- Unsuccessful attempt at reconquest and the second retreat from New Mexico by the Spanish back to El Paso del Norte with 385 Isleta hostages.
	July	- Revolt by Pueblos (Isletas, Piros, etc.) at El Paso del Norte.
	August	- Revolt by Pueblos (Isletas, Piros, etc.) at El Paso del Norte.
1684-1686		- Series of mini-revolts by the Pueblos and others at El Paso del Norte.
1692-1693		- Reconquest of New Mexico by Diego de Vargas.
1716-1718		- Refounding of Isleta Pueblo, New Mexico with Isletas who had resided among the Hopi during the Revolt.
1751		- Grant by Spanish Crown (Carlos V) to Pueblo de San Antonio de Ysleta.
1832		- Recognition of boundaries of Ysleta grant by Governor of Chihuahua as defined in 1824, 1828, and 1829 on basis of grant made "by the King of Spanin on the 13th day of March, 1751."
1835		- Reaffirmation of "grant" by the Alcalde of Ysleta.
1836		- Texas Independence
		- Texas Constitution recognizes and honors all valid grants by Mexico and Spain.
1845		- Texas Statehood
1848		- Treaty of Guadalupe Hidalgo
1849		- Report of James S. Calhoun, Indian Agent for Territory of New Mexico acknowledges Pueblo of Ysleta-and-recommends budget of $1,725 for Superintendent, house and wood, interpreter, rations and implements.

1854	- Relinquishment Act of the Texas Legislature granted inhabitants of Yaleta Grant two (2) leagues of land replacing land lost to south side of river.
1858	- Amendment to Act to January 31, 1854 correcting description of Yaleta Grant.
1861	- Texas secedes from Union.
1864	- The issuance of "Lincoln Canes" to Pueblo Governors in recognition of sovereignty in similar fashion as original "Spanish Canes."
	- Land patents issued by United States and signed by President Lincoln to all Pueblos with U.S. jurisdiction.
	- (Yaleta del Sur Pueblo received neither the Lincoln Cane nor the land patent since they were "out of the country" in the Texas confederacy.)
1870	- Texas fully readmitted into Union and "new" Texas Constitution accepted by U.S. Congress.
1871	- Incorporation of Town of Yaleta by State.
1872-1874	- Loss of lands by Pueblo and members through incorporation, theft, illegal expropriation, transfer, etc.
1874	- Repeal of incorporation of Town of Yaleta.
1894-1907	- Several of the Pueblo's children attend New Mexico Indian School in Albuquerque. Some go on to attend Luepp Indian School in Arizona, and Haskell in Kansas.
1895	- "Compact of the Pueblo de San Antonio de Yaleta del Sur" adopted by tribal members reaffirming and continuing the traditional government in the face of outside efforts and pressures to change it.
1936	- Title of "Honorary Cacique" conferred by Pueblo on President Franklin D. Roosevelt in Dallas, Texas as part of Texas Centennial Celebration.
1967	- H.B. 888 by Texas State Legislature recognizes Tigua Indian Community as Texas Indian tribe and authorizes assumption of state trust if authorized by U.S. Congress.
1968	- P.L. 90-287 signed by President Lyndon B. Johnson recognizes the Tiwa Indians of Yaleta del Sur Pueblo as an American Indian Tribe, and immediately transfers "responsibility, if any, for the Tiwa Indians of Yaleta del Sur . . . . to the State of Texas."
1971	- The U.S. Department of Commerce and U.S. Department of the Treasury certify the Tribe for participation in General Revenue Sharing as a tribal government.

1974	- Certification of eligibility of the Tribe for receipt of housing programs by the U.S. Department of Housing and Urban Development.
1974	- Certification of eligibility of the Tribe as a government for receipt of Economic Development Agency Grants by the U.S. Department of Commerce
1978	- Certification of eligibility of the Tribe as a government for receipt of Community Development Block Grants by the U.S. Department of Housing and Urban Development.
1979	- Certification of eligibility as a CETA Prime Sponsor by the U.S. Department of Labor.
1983	- By adoption of H.B. 1263 amending Art. 5421z VTCS and the state code the State Legislative grants "special" local government, contracting and non-profit corporation status to the Tribe.

TEXAS INDIAN COMMISSION

1. Commission History

Prior to 1928 the Republic, and later the State of Texas, maintained a direct and indirect relationship with the Alabama-Coushatta Indian Tribes through a variety of means and programs.

From 1928 to 1954 the Alabama-Coushatta Indian Tribes were under Federal Trust, however the State of Texas continued to provide funds, assistance, services and even a reservation superintendent under the supervision of the State Board of Control.

In 1954 the Alabama-Coushatta Indian Tribes were terminated from Federal Trust by the U.S. Congress in Act of August 23, 1954, 68 Stat. 768, 25 U.S.C. 721 to 728 and trust was assumed by State with superintendency, services, assistance, and funds provided under the supervision of the Board of State Hospitals and Special Schools and continued through 1965.

In 1965 the State Legislature through Chapter 279, Acts of the 59th Legislature 1965 (Article 5421z VTCS) created the Texas Commission for Indian Affairs as a separate agency of the State.

In 1967 through H.B. 654 which amended Article 5421z VTCS, and through H.B. 888 which stated that, "If the Congress of the United States so legislates, and the Tigua Indian Tribe indicates its consent by appropriate resolution, the governor may accept on behalf of the state a transfer of the trust responsibilities of the United States respecting the Tigua Indian Tribe. Those trust responsibilities shall be administered by the Commission for Indian Affairs.", the Commission legislation was amended, restructured, and authority was given to assume trust responsibility for the Tigua Indians of Ysleta del Sur Pueblo in El Paso.

In 1968 the Congress of the United States passed PL90-287 recognizing the "Tiwa Indians of Ysleta (Isleta) del Sur Pueblo" as an Indian Tribe and transferring responsibilities to the State of Texas.

The state statutes, Art. 5421z VTCS, establishing and empowering the Commission and defining its basic responsibilities were subsequently amended in 1975 and 1977 resulting in, among many other changes, the present structure, functions, responsibilities, and name, the Texas Indian Commission.

In 1983 the statutes were again amended, along with state tax codes, Sec. 151.337, to clarify the tax status of the two state trust tribes. Finally in 1985 they were both amended by H.B. 1374 with an expansion and more detailed enumeration of the Commission's authority, role and responsibilities. Additionally the Texas Band of Traditional Kickapoo (of Eagle Pass) were recognized by the state, authority was granted for the Commission to assist them, and they were given the same tax status as the other two tribes.

With regard to the state trust tribes, the Commission must comply with designated statutory responsibilities regarding them. In recognizing and voluntarily accepting transfer of trust responsibility for the two tribes, the State Legislature accepted for itself full responsibility for ". . . the development of the human and economic resources of the Alabama-Coushatta Indian Reservation and the Tigua Indian Reservation, and shall assist those tribes in making their reservations self-sufficient." As defined by statutes, the State, through the Commission is to ". . . assist those tribes in improving their health, educational, agricultural, business, and industrial capacities." By trust responsibility, we are referring to a special legal relationship that the State has with the Tribes. It refers specifically to the fiduciary responsibility to protect the legal status, land and property, resources, and lives of the tribes and its members.

As "state trust" tribes, they are not eligible under PL93-638, American Indian Self-Determination and Education Assistance Act and a variety of similar federal laws, regulations, and programs, for direct aid from the federal government in the form of education assistance, health services, grants-in-aid, and contracts for tribal resource development, management, and administration or Bureau of Indian Affairs services. The State, through the Commission, must then exercise its "trust" responsibility and step in to provide for these.

Through H.B. 1374, the Commission was given the additional responsibility to ". . . assist the Texas Band of Kickapoo Indians in improving its health, educational, agricultural, business, and industrial capacities. The Commission shall provide the assistance in a manner that does not conflict with the Band's status as a federally recognized Indian tribe or its relationship with the government of the United States." This is different from the other two state-recognized tribes in that the trust relationship for this Band and therefore the primary responsibility for their welfare rests with the federal government and the state's role is to assist in the well-being of the Band, basically as a secondary partner.

There are also several inter-tribal or urban (non-reservation) Indian organizations chartered in Texas such as the Dallas Inter-tribal Center, American Indian Center in Dallas, the North Texas Inter-tribal Committee in Wichita Falls, Inter-tribal Council of Houston, Texas Inter-tribal Conference in Troup, the San Antonio Council of Native Americans, and many others. The Commission has no direct responsibility to these community groups, but does provide a communications network, information, advocacy, and resources to all Indian communities and groups in the state.

The 1985 changes to the state statutes, in redefining the role and responsibilities of the Commission, gave it a broad mandate and expended area of work and involvement. As provided in the statutes;

"The Commission shall promote unity and understanding among the American Indian people of this state and shall promote and enhance increased understanding of American Indian and Texas Indian culture and history by the general public. In performing functions under this subsection, the commission may:

1) appoint voluntary advisory committees as the commission considers necessary to promote its purposes and accomplish its work;
2) conduct research in cooperation with other state agencies relating to the social and economic conditions of American Indian citizens in Texas;
3) prepare and disseminate information relating to the social and economic condition of American Indians; and
4) cooperate with state and federal agencies in all matters, programs, and legislation relating to American Indians and related issues at the state and national level, particularily as they affect or are affected by this state.

The commission annually shall submit to the governor and to the legislature a report of its activities under this Act. The report may include the commission's legislative recommendations."

2. Commission Structure

As provided in the state statutes, the Commission consists of three members, at least one of whom shall be an Indian, appointed by the Governor with the advise and consent of the Senate. Each member holds office for a term of six years or until his successor is appointed and qualified.

The Commission elects a chairman from among its members, who shall serve a period of two years or until his successor is elected.

The Commission holds at least three public meetings per year at times and places fixed by rule of the Commission. Two members of the Commission constitute a quorum for the transaction of business.

Commissioners are unsalaried and receive actual personal expenses, travel, and $30 per diem while attending meetings or performing duties related to their positions.

The Commission appoints an Executive Director who serves at their will. He/She is responsible for the management, supervision, and implementation of the policies of the Commission in carrying out the responsibilities of the Commission. The Executive Director employs a Superintendent at each reservation.

Currently there are twenty-seven (27) budgeted state employees among the Administrative Office and the two reservations.

The Commission, in similar fashion to other state agencies, is funded on a bi-annual basis by appropriations authorized by the State Legislature.

In addition, each reservation seeks all possible local, state, and federal funds, grants, gifts, and other types of assistance available to help carryout the Commission's duties and responsibilities.

3. Commission Responsibilities and Activities

The Texas Indian Commission has four (4) major activity areas.

State Trust Tribes - there are two Indian tribes, Alabama-Coushatta and Tigua, for which the State of Texas has trust responsibility and authority as the result of termination by the Federal government and voluntary assumption of trust by the State government. In the case of these two tribes, the Texas Indian Commission acts and has full responsibility as the state's trust agency. This trust responsibility is similar to the legal relationship maintained by the Federal government to federally recognized or federal trust tribes. It is a fiduciary responsibility to protect the legal status; lands, properties, and resources; and welfare, lives and existence of the tribes, their governments, and people.

As defined by Article 5421z VTCS, the state statutes which created, empower, and govern the Commission, mandate full responsibility for " . . . development of the human and economic resources of the Alabama-Coushatta Indian Reservation and the Tigua Indian Reservation, and to assist the Texas Indian people in making their reservation self-sufficient." More specifically as defined in the statutes, the State through the Commission is to " . . . assist the Texas Indian tribes in improving their health, educational, agricultural, business, and industrial capacities."

Because of their status as "state-recognized" or "state-trust" tribes, these two tribes and their members are not eligible for Bureau of Indian Affairs programs, Indian Health Service programs, programs of funding under PL93-638, the American Indian Self-Determination and Education Assistance Act, and a variety of similar programs funded by the Federal government and created specifically to assist Indians in the areas of education, health, social services, grants-in-aid, economic development, tribal resource protection, development and management, and self-government.

The Commission through development, coordination, and management of state grants and contracts, various federal grants, grants-in-aid, gifts, and through assisting the tribal governments in the management of their financial resources (income), development, and management of tribally owned businessess (tribal enterprises) has sought to fill the needs left by the lack of eligibility and the service voids.

Non-Trust Tribe - in 1985, through amendment to the state statutes, the Commission was given the additional responsibility to " . . . assist the Texas Band of Kickapoo Indians in improving its health, educational, agricultural, business, and industrial capacities. The Commission shall provide the assistance in a manner that does not conflict with the Band's status as a federally recognized Indian tribe or its relationship with the government of the United States."

The Texas Band of Traditional Kickapoo Indians, by virtue of its federal recognition in 1984, is a federal trust tribe with primary responsibility for its health, education, and welfare resting in the federal government and the Bureau of Indians Affairs. The State of Texas has no trust responsibilities toward the tribe or its members and has no administrative jurisdiction over their land or resources. However, by virtue of the state law the Commission is mandated to help them. This help will be in the form of advocacy, coordination, facilitating with state and local governments, working with federal agencies, especially the BIA and IHS, and providing technical assistance.

Non-Reservation Indians - there are several urban (non-reservation) and inter-tribal Indian organizations in the state. These organizations such as the Dallas Inter-Tribal Center, Inter-Tribal Council of Houston, Native Americans of San Antonio, Inc., the Texas Inter-Tribal Conference in Troup, the Dallas/Ft. Worth Inter-Tribal Association, and many more like them vary in structure and purpose. They include everything from cultural and arts organizations, to religious organizations, special interests groups, to community service centers.

While the State, and therefore the Commission, has no legal responsibility for the non-reservation Indians or these organizations and has no specific programs or funding for them, the Commission does work with them in all areas such as health, education, the arts, culture, and cultural and religious concerns by providing information and resource services, coordination, and advocacy.

With the 1985 amendments to the state statutes which provide that, "The Commission shall promote unity and understanding among the American Indian people of this state and shall promote and enhance increased understanding of American Indian and Texas Indian culture and history by the general public. In performing functions under this subsection, the commission may:

(1) appoint voluntary advisory committees as the commission considers necessary to promote its purposes and accomplish its work;

(2) conduct research in cooperation with other state agencies relating to the social and economic conditions of American Indian citizens of Texas;

(3) prepare and disseminate information relating to the social and economic condition of American Indians; and

(4) cooperate with state and federal agencies in all matters, programs, and legislation relating to American Indians and related issues at the state and national level, particularly as they affect or are affected by this state.", this role and activity should significantly increase.

State, Federal Agencies and Others - the Commission acts as chief resource, technical assistance, information, and referral agency for state and federal agencies, school systems, and public and private organizations, agencies, foundations, etc. on Indian affairs.

It also provides information, resource materials, and referrals and guidance to interested individuals, groups, and institutions.

Because it is often the only or at least the most readily identifiable resource, at times the Commission is called upon to provide emergency or crisis information, intervention, assistance, or contact-referral services to individual Indian persons with legal, employment, travel, housing, and other problems.

Art. 5421s. Repealed by Acts 1977, 65th Leg., p. 2689, ch. 871, art. I, § 2(a)(1), eff. Sept. 1, 1977

Acts 1977, 65th Leg., ch. 871, repealing this article, enacts the Natural Resources Code.

For disposition of the subject matter of the repealed article, see Disposition Table preceding V.T.C.A. Natural Resources Code.

The repealed article, the Geothermal Resources Act of 1975, was enacted by Acts 1975, 64th Leg., p. 592, ch. 243.

INDIAN LANDS

Art. 5421z. Indian Commission

Texas Indian Commission

Section 1. The Texas Indian Commission, formerly the Commission for Indian Affairs, is an agency of the state.

Application of Sunset Act

Sec. 1a. The Texas Indian Commission is subject to the Texas Sunset Act (Chapter 325, Government Code). Unless continued in existence as provided by that Act, the commission is abolished and this Act expires September 1, 1989.

Members of commission

Sec. 2. The commission consists of three members, at least one of whom shall be an Indian. Members of the commission are appointed by the governor with the advice and consent of the senate.

Terms of office

Sec. 3. Each member holds office for a term of six years and until his successor is appointed and qualified. One member's term expires on January 31 of each odd-numbered year.

Chairman

Sec. 4. The commission shall elect a chairman from among its members, who shall serve for a period of two years or until his successor is elected. The chairman shall preside over all meetings, appoint committees, make periodic reports to the governor and the legislature, represent the Texas Indian Commission at ceremonies and public functions, and make policy and budget recommendations to the legislature and fellow commission members.

Meetings of commission

Sec. 5. The commission shall hold at least three public meetings per year at times and places fixed by rule of the commission. The chairman shall notify each member at least two weeks prior to each regular meeting date and three days before each special meeting date. Two members of the commission constitute a quorum for the transaction of business.

Compensation of members

Sec. 6. Each member is entitled to receive per diem compensation for each day he actually attends a meeting or travels or attends to commission business, and is entitled to reimbursement for actual and necessary expenses incurred in attending meetings, as provided in the General Appropriations Act.

Commission responsibilities

Sec. 7. (a) The commission shall assist the Alabama-Coushatta Indian Tribe of Texas and the Tigua Tribe of Texas in the development of the human and economic resources of the Alabama-Coushatta Indian Reservation and the Tigua

Indian Reservation, and shall assist those tribes in making their reservations self-sufficient. The commission shall assist those tribes in improving their health, educational, agricultural, business, and industrial capacities.

(b) The commission shall assist the Texas Band of Kickapoo Indians in improving its health, educational, agricultural, business, and industrial capacities. The commission shall provide this assistance in a manner that does not conflict with the band's status as a federally recognized Indian tribe or its relationship with the government of the United States.

(c) The commission shall promote unity and understanding among the American Indian people of this state and shall promote and enhance increased understanding of American Indian and Texas Indian culture and history by the general public. In performing functions under this subsection, the commission may:

(1) appoint voluntary advisory committees as the commission considers necessary to promote its purposes and accomplish its work;

(2) conduct research in cooperation with other state agencies relating to the social and economic conditions of American Indian citizens of Texas;

(3) prepare and disseminate information relating to the social and economic condition of American Indians; and

(4) cooperate with state and federal agencies in all matters, programs, and legislation relating to American Indians and related issues at the state and national level, particularly as they affect or are affected by this state.

(d) The commission annually shall submit to the governor and to the legislature a report of its activities under this Act. The report may include the commission's legislative recommendations.

Executive director

Sec. 8. The commission shall appoint an executive director. The executive director serves at the will of the commission. He is responsible for the management, supervision, and implementation of the policies of the commission in carrying out the responsibilities of the commission as set forth in Section 7 of this Act. The executive director shall employ a superintendent for each reservation. The superintendents shall answer to the executive director and carry out the programs and policies of the commission. The executive director, at the direction of the commission, shall seek all possible federal funds, grants, gifts, and other types of assistance available to help expedite the commission's expressed policy for development and responsibility as outlined in Section 7 of this Act.

Contracts with local agencies

Sec. 9. The commission may cooperate, negotiate, and contract with state and local agencies and with private and public organizations and foundations concerned with the development of the human and economic resources of the reservations and other related programs in order to implement the planning and development of the reservations. Counties and local units of government are authorized to cooperate with the commission and may furnish the use of any equipment necessary in the development of the reservations.

Tribal authority to contract

Sec. 9A. (a) The Tribal council of the Alabama-Coushatta Indian Tribe, the Tigua Indian Tribe, or the Texas Band of Kickapoo Indians may contract with a local government, as that term is defined by The Interlocal Cooperation Act (Article 4413(32c), Vernon's Texas Civil Statutes), in the same manner and for the same purposes that local governments may contract with each other under that Act.

(b) The Tribal Council may contract with the state or a state agency in the manner and for the purposes that are mutually agreeable to the Tribal Council and the state or state agency.

Gifts; grants

Sec. 10. The commission may accept gifts, grants, and donations of money, personal property, and real property for use in development of the reservations. It may acquire by gift or purchase any additional land necessary for improvement of the reservations, their income, and their economic self-sufficiency.

Nonprofit status

Sec. 10A. A right, privilege, benefit, or power, including the power to accept gifts, grants, and donations, that an organization has under state law because of the organization's status as a nonprofit corporation organized under the Texas Non-Profit Corporation Act (Article 1396–1.01 et seq., Vernon's Texas Civil Statutes) applies to a Tribal Council or a business owned by a Tribal Council as if the Tribal Council or tribal business were a nonprofit corporation organized under the Texas Non-Profit Corporation Act.

Federal grants

Sec. 11. The commission may negotiate with any agency of the United States in order to obtain grants to assist in the development of the reservations and in any trust land of the Texas Band of Kickapoo Indians.

Assistance to Kickapoo Indians

Sec. 11A. The Texas Band of Kickapoo Indians is recognized as a Texas Indian tribe.

Tribal councils may issue bonds

Sec. 12. Subject to the written approval of the commission, the Tribal Councils may issue revenue bonds or any other evidence of indebtedness in order to finance the construction of improvements on the reservations and for the purchase of additional land necessary therefor or for improvement of the income and economic conditions of the reservations. The bonds or other evidences of indebtedness may be secured by the income from one or more revenue-producing properties, interests, or facilities of the land which is held in trust by the State of Texas for the benefit of the Indians.

Maturity; redemption

Sec. 13. All bonds issued by a Tribal Council shall mature serially or otherwise not more than 40 years from the date of issuance, and they may be made redeemable prior to maturity, at the option of the Tribal Council, with the written approval of the commission, at times and prices and under terms and conditions prescribed in the authorizing proceedings.

Form, conditions, details of bonds

Sec. 14. Subject to the restrictions contained in this Act, the appropriate Tribal Council and the commission have complete discretion in fixing the form, conditions, and details of the bonds; and the bonds may be refunded or otherwise refinanced whenever the Tribal Council, with the approval of the commission, deems such action to be necessary or appropriate.

Sale; terms; price; interest

Sec. 15. The bonds may be sold, either at public or private sale, at a price and under terms determined by the Tribal Council and the commission to be the most advantageous price and terms reasonably obtainable. Interest on loans and bonds shall not exceed interest limits approved by the appropriate Tribal Council and the commission; provided, however, that interest on loans and bonds shall not exceed 10 percent per annum.

Expenses; fees

Sec. 16. Each Tribal Council, with the approval of the commission, may employ attorneys, fiscal agents, and financial advisors in connection with the issuance and sale of bonds; and proceeds from the sale of the bonds may be used to pay their fees and all other expenses of the issuance and sale of the bonds.

Bonds as investments and security

Sec. 17. All bonds issued under this Act are legal, authorized investments for banks, savings banks, trust companies, building and loan associations, insurance companies, fiduciaries, trustees, guardians, and for the sinking funds of all political subdivisions and public agencies of the state, and when accompanied by all unmatured coupons appurtenant to the bonds, are lawful and sufficient security for deposits in the amount of the par value of the bonds.

Pledge of revenues and income

Sec. 18. Each Tribal Council, with the approval of the commission, may pledge the rents, royalties, revenue, and income from revenue-producing properties and facilities of the state trust lands to the payment of the interest on and the principal of the bonds, and may enter into agreements regarding the imposition of sufficient charges and other revenues and the collection, pledge, and disposition of them. In making such a pledge, the Tribal Council may specifically reserve the right to issue, with the approval of the commission, additional bonds which will be on a parity with, or subordinate to, the bonds then being issued.

Disposition of oil and gas revenue

Sec. 19. All revenue realized from leasing of Indian reservation land shall be paid to the Commissioner of the General Land Office, and he shall immediately place such money in a depository or depositories designated by the appropriate Tribal Council and commission. These funds shall be placed in a special account known as either the Alabama-Coushatta Mineral Fund or the Tigua Mineral Fund and shall be expended for such purposes as the appropriate Tribal Council shall recommend and the commission shall approve.

Debt against state

Sec. 20. No obligation created by a contract, bond, note, or other evidence of indebtedness issued by a Tribal Council under this Act shall be construed as creating a debt against the state; and every such contract, bond, note, or other evidence of indebtedness shall contain this clause: "The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation."

Leases to tribal members for residential purposes

Sec. 21. The Tribal Council, with the approval of the commission, may execute lease agreements under which any member of the tribe, as lessee, may occupy for residential purchase, for a term of not more than 50 years with the option to renew for a term of not more than 50 years, any designated lot or tract of land which may be included in the 1,280-acre tract conveyed to the Alabama Indians by authority of Chapter XLIV, Acts of the 5th Legislature, 1854.

Acts 1965, 59th Leg., p. 552, ch. 279, eff. Sept. 1, 1965. Sec. 10A added by Acts 1967, 60th Leg., p. 539, ch. 234, § 1, eff. May 19, 1967. Amended by Acts 1967, 60th Leg., p. 662, ch. 276, § 1, eff. May 23, 1967; Sec. 14 amended by Acts 1967, 60th Leg., p. 930, ch. 407, § 1, eff. June 8, 1967; Sec. 21A added by Acts 1971, 62nd Leg., p. 1816, ch. 541, § 1, eff. June 1, 1971; Secs. 27 to 35 added by Acts 1971, 62nd Leg., p. 2369, ch. 730, § 1, eff. June 8, 1971. Amended by Acts 1975, 64th Leg., p. 435, ch. 185, § 1, eff. Sept. 1, 1975. Sec. 1a added by Acts 1977, 65th Leg., p. 1854, ch. 735, § 2.160, eff. Aug. 29, 1977; Secs. 2, 5 amended by Acts 1977, 65th Leg., p. 1090, ch. 399, § 1, eff. June 15, 1977; Sec. 11A added by Acts 1977, 65th Leg., p. 1090, ch. 399, § 2, eff. June 15, 1977; Secs. 9A, 10A added by Acts 1983, 68th Leg., p. 4869, ch. 859, § 1, eff. Sept. 1, 1983; Sec. 1a amended by Acts 1985, 69th Leg., p. 3339, ch. 479, § 132, eff. Sept. 1, 1985; Secs. 2, 5, 7, 9, 9A(a), 11, 11A, 13, 14, 20 amended by Acts 1985, 69th Leg., p. 5241, ch. 717, §§ 1 to 10, eff. Sept. 1, 1985.

Saved from Repeal

This article was expressly saved from repeal by art. I, § 2(b) of Acts 1977, 65th Leg., p. 2690, ch. 871, enacting the Natural Resources Code.

Section 2 of the 1975 Act repealed art. 5421z-1; § 3 thereof provided:

"Those persons holding office as members of the Commission for Indian Affairs on the effective date of this Act continue to hold office as members of the Texas Indian Commission for the terms for which they were originally appointed."

The 1977 Act, amending §§ 2 and 5 of this article, and adding § 11A, provides in § 3:

"Those persons holding office as members of the Texas Indian Commission on the effective date of this Act continue to hold office as members of the Texas Indian Commission for the terms for which they were originally appointed."

Title of Act:

An Act relating to the supervision, management, and financing of the Alabama-Coushatta Indian Reservation; and declaring an emergency. Acts 1965, 59th Leg., p. 552, ch. 279.

Library References

Indians ⚷4, 16(1, 5), 32.

C.J.S. Indians §§ 9, 11, 30 et seq., 67 et seq., 74.

Notes of Decisions

Construction and application 1
Powers and duties of commission 2

1. Construction and application

The Commission for Indian Affairs constitutes a "public housing agency" within the provisions of Sec. 1402(11) of Title 42, U.S.C.A. Op.Atty.Gen.1965, No. C-520.

The Alabama-Coushatta Indian Tribal Members cannot create a Public Housing Authority as a separate corporate entity to which the Commission for Indian Affairs and the Alabama-Coushatta Indian Tribal Members could make a forty-year lease of State Trust Land to develop a low-rent housing project. Op.Atty.Gen.1966, No. C-693.

The Alabama-Coushatta Indian Reservation-Tribal Council, with the consent of the Texas Commission for Indian Affairs, has the authority by virtue of the provisions of Section 13 of this article, to borrow money from a bank for the purposes stated and the Tribal Council has the authority to execute a security agreement for the loan on chattels to be purchased by the Tribal Council and used upon the Reservation to further its improvement and development. Op. Atty.Gen.1967, No. M-44.

The same person may legally hold the office of executive director of the Texas Commission of Indian Affairs, and at the same time occupy the position of executive director of the Alabama-Coushatta Housing Authority, and be paid for both, so long as his holding of the office of executive director of the Alabama-Coushatta Indian Housing Authority is of benefit to the state of Texas (or is required by state or federal law), and there is no conflict between it and his office as executive director of the Texas Commission of Indian Affairs. Op.Atty. Gen.1974, No. LA-78.

2. Powers and duties of commission

The Commission for Indian Affairs cannot authorize the Alabama-Coushatta Tribal Council to execute long term lease contracts with the Public Housing Administration; however, such long term lease of tribal lands may be executed by the Commission for Indian Affairs, subject to the approval of a majority of the Indians. Op.Atty.Gen. 1965, No. C-520.

Art. 5421z-1. Repealed by Acts 1975, 64th Leg., p. 439, ch. 185, § 2, eff. Sept. 1, 1975

The repealed article, derived from Acts 1967, 60th Leg., p. 666, ch. 277, § 1, related to the transfer of trust responsibilities respecting the Tigua Indian Tribe.

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CONSULT GENERAL INDEX

(b) This section does not apply to the sale of tangible personal property or to the purchase of an admission through the use of a coin-operated machine.

Added by Acts 1984, 68th Leg., 2nd C.S., p. 541, ch. 31, art. 7, § 15, eff. Oct. 2, 1984.

Library References

Taxation ⇐1231.
C.J.S. Licenses §§ 26 to 31.

§ 151.336. Certain Coins and Precious Metals

(a) The sale of gold, silver, or numismatic coins or of platinum, gold, or silver bullion is exempted from the sales tax imposed by Subchapter C of this chapter[1] at any sale to a purchaser in which the total sales price of all the items sold equals $10,000 or more.

(b) An item purchased at a sale exempted by Subsection (a) of this section is exempted from the use tax imposed by Subchapter D of this chapter[2] until the item is subsequently transferred to a different owner.

Added by Acts 1983, 68th Leg., p. 2509, ch. 440, § 1, eff. Sept. 1, 1983.

[1] Section 151.051 et seq.
[2] Section 151.101 et seq.

Library References

Taxation ⇐1241.
C.J.S. Licenses § 30.

§ 151.337. Sales by or to Indian Tribes

(a) A taxable item sold, leased, or rented to, or stored, used, or consumed by, a tribal council or a business owned by a tribal council of the Alabama-Coushatta Indian Tribe, the Tigua Indian Tribe, or the Texas Band of Kickapoo Indians is exempted from the taxes imposed by this chapter.

(b) A taxable item sold, leased, or rented by a tribal council or a business owned by a tribal council of the Alabama-Coushatta Indian Tribe, the Tigua Indian Tribe, or the Texas Band of Kickapoo Indians is exempted from the taxes imposed by this chapter if the item is:

(1) made by a member of the Indian tribe;

(2) a cultural artifact of the Indian tribe; and

(3) sold at a location within the boundaries of a reservation or of trust land held by such an Indian tribe.

(c) The storage, use, or consumption of a taxable item acquired in a transaction exempted by Subsection (b) of this section is exempted from the use tax imposed by Subchapter D of this chapter[1] until the item is resold or subsequently transferred.

Added by Acts 1983, 68th Leg., p. 4870, ch. 859, § 2, eff. Sept. 1, 1983. Amended by Acts 1985, 69th Leg., p. 5245, ch. 717, § 11, eff. Sept. 1, 1985.

[1] Section 151.101 et seq.

1985 Amendment. In subsecs. (a) and (b), substituted "the Alabama-Coushatta Indian Tribe, the Tigua Indian Tribe, or the Texas Band of Kickapoo Indians" for "an Indian tribe for which a reservation is established in this state"; and in subsec. (b)(3), substituted "a" for "the" following "within the boundaries of", and added "or of trust land held by such an Indian tribe".

§ 151.338. Environment and Conservation Services

The services involved in the repair, remodeling, maintenance, or restoration of tangible personal property are not taxable under this chapter if the repair, remodeling, maintenance, or restoration is required by statute, ordinance, order,

Peyote exemption

Sec. 4.11. The provisions of this Act relating to the possession and distribution of peyote shall not apply to the use of peyote by members of the Native American Church in bona fide religious ceremonies of the church. However, persons who supply the substance to the church are required to register and maintain appropriate records of receipts and disbursements in accordance with rules promulgated by the director. The exemption granted to members of the Native American Church under this section does not apply to a member with less than 25 percent Indian blood.

Conditional discharge for first offense

Sec. 4.12. (a) If any person who has not previously been convicted of an offense under this Act, or, subsequent to the effective date of this Act, under any statute of the United States or of any state relating to a substance that is defined by this Act as a controlled substance, is charged with a violation of this subchapter or is found guilty of a violation of this subchapter after trial or on a plea of guilty, the court may, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings and place him on probation on such reasonable conditions as it may require and for such period as the court may prescribe, except that the probationary period may not exceed two years.

(b) Upon violation of a condition of the probation, the court may enter an adjudication of guilt, pronounce sentence, and punish him accordingly. The court may, in its discretion, dismiss the proceedings against the defendant and discharge him from probation before the expiration of the maximum period prescribed for his probationary period. If during the period of his probation the defendant does not violate any of the conditions of the probation, then upon expiration of the probationary period the court shall discharge him and dismiss the proceedings against him. Discharge and dismissal under this subsection shall be without an adjudication of guilt, but a nonpublic record of the proceedings shall be retained by the director solely for use by the courts in determining whether or not, in subsequent proceedings, the person qualifies for conditional discharge under this section.

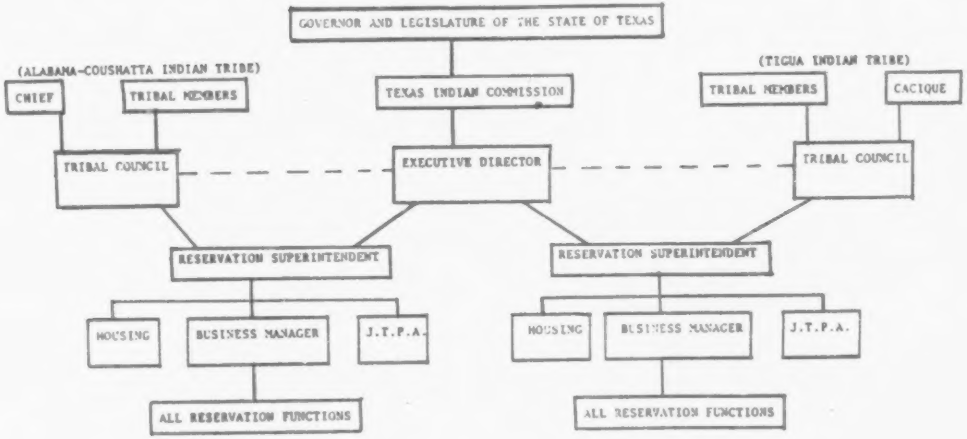
(c) A discharge or dismissal under this section shall not be deemed a conviction for purposes of disqualifications or disabilities imposed by law for conviction of a crime, including any provision for enhancement of punishment for repeat or habitual offenders. There may be only one discharge and dismissal under this section with respect to any person.

History of Appropriations by the State of Texas to the Texas Indian Commission and the Alabama-Coushatta and Tigua Indian Reservations from 1932 to present.

42nd Legislature		
1932	Alabama-Coushatta	$ 10,800
1933	"	10,800
43rd Legislature		
1934	"	6,780
1935		6,780
44th Legislature		
1936	"	9,670
1937		9,670
45th Legislature		
1938	"	14,589
1939		11,189
46th Legislature		
1940	"	14,130
1941		13,230
47th Legislature		
1942	"	25,260
1943		25,260
48th Legislature		
1944	"	17,420
1945		17,420
49th Legislature		
1946	"	16,735
1947		16,735
50th Legislature		
1948	"	27,195
1949		27,195
51st Legislature		
1950	"	43,628
52nd Legislature		
1952	"	41,298
1953		41,298
53rd Legislature		
1954	"	60,828
1955		60,828
54th Legislature		
1956	"	65,607
1957		67,107
55th Legislature		
1958	"	71,034
1959		71,034
56th Legislature		
1960	"	70,058
1961		70,058
57th Legislature		
1962	"	75,834
1963		75,834

58th Legislature		
1964	Alabama-Coushatta	$74,382
1965	"	71,982
59th Legislature		
1966	"	75,299
1967		72,825
60th Legislature		
1968	Alabama-Coushatta	421,585
	Tigua	35,000
1969	Alabama-Coushatta	153,230
	Tigua	15,600
61st Legislature		
1970	Alabama-Coushatta	432,558
	Tigua	150,265
1971	Alabama-Coushatta	181,758
	Tigua	71,216
62nd Legislature		
1972	Alabama-Coushatta	472,757
	Tigua	237,151
1973	Exec. Director	18,500*
	Alabama-Coushatta	222,478
	Tigua	89,844
63rd Legislature		
1974	Exec. Director (Administration)	19,500*
	Alabama-Coushatta	254,333
	Tigua	179,574
1975	Exec. Director (Administration)	20,000*
	Alabama-Coushatta	253,805
	Tigua	137,555
64th Legislature		
1976	Exec. Director (Administration)	22,880*
	Alabama-Coushatta	212,232
	Tigua	263,745
1977	Exec. Director (Administration)	24,400*
	Alabama-Coushatta	197,401
	Tigua	224,199
65th Legislature		
1978	Commission Administration	40,941
	Alabama-Coushatta	110,113
	Tigua	238,660
1979	Commission Administration	42,145
	Alabama-Coushatta	36,400
	Tigua	243,976
66th Legislature		
1980	Commission Administration	84,747
	Alabama-Coushatta	106,946
	Tigua	259,005
1981	Commission Administration	79,638
	Alabama-Coushatta	111,234
	Tigua	269,316
67th Legislature		
1982	Commission Administration	91,161
	Alabama-Coushatta	134,409
	Tigua	290,963
1983	Commission Administration	96,623
	Alabama-Coushatta	135,269
	Tigua	295,888

TEXAS INDIAN COMMISSION ORGANIZATIONAL STRUCTURE



68th Legislature		
1984	Commission Administration	104,120
	Alabama-Coushatta	140,683
	Tigua	306,815
1985	Commission Administration	108,377
	Alabama-Coushatta	143,458
	Tigua	314,280
69th Legislature		
1986	Commission Administration	111,217
	Tigua	306,292
	(Alabama-Coushatta from their own funds/ Mineral Fund #157)	(149,178)
1987	Commission Administration	113,579
	Tigua	313,733
	(Alabama-Coushatta from their own funds/ Mineral Fund #157)	(153,648)
TOTAL	Administration 1973 to 1987	977,748
	Tigua 1968 to 1987	4,243,077
	Alabama-Coushatta 1932 to 1985	5,110,441
	GRAND TOTAL	$10,331,266

* Reflects appropriation for Executive Director salary only. Alabama-Coushatta appropriations provided office and operating expenses.

SUMMARY OF APPROPRIATIONS HISTORY

ITEM 1. Prior to 1968 all state appropriations were for the Alabama-Coushatta Reservation only. From 1932 to 1954 these funds were supplemented or enhanced by federal aid to education, health services, etc. After 1954 the State assumed full trust, and the state funding provided formed the base for all program operations.

Overall the Alabama-Coushatta Reservation received an average annual appropriation of $38,605.33 between 1932 and 1967. These appropriations ranged from a low of $6,780 to a high of $75,834 for an average per capita expenditure of $70.97 and range from $13.56 to $151.67 .

From 1968 to 1985 the appropriations ranged from $36,400 to $472,757 for an average of $206,702.72 per year. In terms of per capita expenditures it ranged from $66.91 to $869.04 for an average of $379.97 per year.

In FY 1986 and 1987 the State Legislature did not appropriate State General Revenue Funds, but designated instead the use of a portion of the Tribe's gas production revenues (Mineral Fund #157) to pay for the state employees stationed at this reservation.

ITEM 2. The Tigua Indian Reservation has received annual appropriations ranging from $15,600 to $314,280 with an overall average of $201,280.57 per year from 1968 to 1985. The per capita average ranging from $22.71 to $457.47 or overall average of $292.13 per year.

In FY 1986 and 1987 the Tigua Reservation is budgeted from State General Revenue Funds in the amounts of $306,292 and $313,733 respectively.

ITEM 8. From 1968 to 1983 appropriations for the Alabama-Coushatta Reservation increased dramatically, with the exception of 1979. However, overall, the appropriations for both reservations during this period were very erratic, fluctuating wildly, without reason or logic, at times as much as 300% from one year to the next (ie. 1978 to 1979 at the Alabama-Coushatta Reservation). With funding going in dramatic cycles from "feast to famine to feast again", with adequate funding one year to drastic cuts another, no effective planning or rational follow-through on program efforts could be made or rationally expected at times.

ITEM 4. State appropriations through the Texas Indian Commission have primarily been for personnel salaries, administrative and maintenance support services, some utility costs, and not for actual direct services to tribal members (ie. health services, education assistance, etc.). Other than very limited, occasional use of state funds set aside from administrative operating budgets, all direct and human service activities (ie. health, education, housing, employment, etc.) have been developed and provided through the use of state and federal grant or contract funds or tribal revenues and funds.

From 1932 to 1967, with few exceptions, the amount and type of funding or appropriations provided by the State to the Alabama-Coushatta Reservation dictated almost 100% use for salaries and administrative support. From 1968 to 1978 appropriations provided administrative salaries and limited administrative and maintenance support services. And from 1979 to 1984 only administrative salaries were provided for without any support or operating funds.

At the Tigua Indian Reservation from 80 to 90% of all state appropriations have been specifically for personnel salaries and 6 to 18% for administrative and maintenance support and utilities. The remaining 2 to 4% used for actual direct services.

Just as the support services funds were gradually phased out at the Alabama-Coushatta Reservation, followed by a gradual phase out of personnel, progressive reductions in state appropriations indicate that the funding at Tigua Reservation will eventually be phased dramatically down and finally out.

TEXAS INDIAN COMMISSION

COMMISSIONERS
[illegible]
Chairman, [illegible]
[illegible]
Commissioner, El Paso
[illegible]
Commissioner, Wichita Falls

RAYMOND D. APODACA
Executive Director
9434 VISCOUNT, SUITE 122
EL PASO, TEXAS [illegible]
(915) [illegible]

AGENCIES
ALABAMA-COUSHATTA
INDIAN RESERVATION
Rt. 3, Box 640
Livingston, Texas 77351
(409) 563-4391

TIGUA INDIAN RESERVATION
P. O. Box 17579
Ysleta Station
El Paso, Texas 79917
(915) 859-7913

Texas Indian Commission
Resolution TIC-85-004

Pertaining to the Federal Restoration Legislation for the Alabama-Coushatta Indian Tribe and Ysleta del Sur Pueblo, the Tigua (Tiwa) Indian Tribes of Texas.

WHEREAS, the Texas Indian Commission is the Trust Agency of the State of Texas with regard to the Alabama-Coushatta and Tigua Indian Tribe, and,

WHEREAS, its main duty and responsibility as trustee is to assist these tribes in the development of their human and economic resources by improving their health, educational, agricultural, business, and industrial capacities and to insure the protection of their lands, resources, and people, and,

WHEREAS, the Commission has sought and will continue to seek to work with the tribes in a cooperative, constructive manner, to meet its legal and moral obligations, and to protect the interests of the State of Texas and the Tribes in executing these responsibilities and duties, now,

THEREFORE, the Commission, after having thoroughly studied HR 1344 (R. Coleman and C. Wilson) as introduced in the United States Congress, does agree that it is not opposed to the passage of said legislation provided that it is in the best interests of the Tribes and the insurance of their future good and welfare.

DATE: 8/23/85

APPROVED: Don Ellyson
Don Ellyson, Chairman

I certify that the foregoing Resolution has been approved and is in the minutes of the August 23, 1985 meeting of the Texas Indian Commission.

DATE 8-23-85

APPROVED:
Raymond D. Apodaca
Executive Director

PREPARED STATEMENT OF MIGUEL PEDRAZA

GOVERNOR OF THE YSLETA DEL SUR PUEBLO
EL PASO, TEXAS

ON H.R. 1344

Before the Senate Select Committee on Indian Affairs

June 25, 1986

Mr. Chairman and Members of the Committee:

My name is Miguel Pedraza, Jr., Governor of the Ysleta del Sur Pueblo in El Paso, Texas. I am greatly honored to appear before you today. On behalf of all the members of the Ysleta del Sur Pueblo, I thank you for the opportunity to speak with you and to share with you the great concerns of our people.

I do not come before you to paint a picture of despair and gloom, but I do wish to present to you some facts, both positive and negative, about our beloved Pueblo. For the past 305 years our people have struggled for survival as a Pueblo. While we have continuously maintained our traditional religion and form of government, the price that we have had to pay for survival has been high, as we have lost many aspects of our culture and language. We have also lost possession of the majority of our land. Through all of this we have endured as Pueblo people and we protect what we have left with such tenacity as a mother bear protects her cubs.

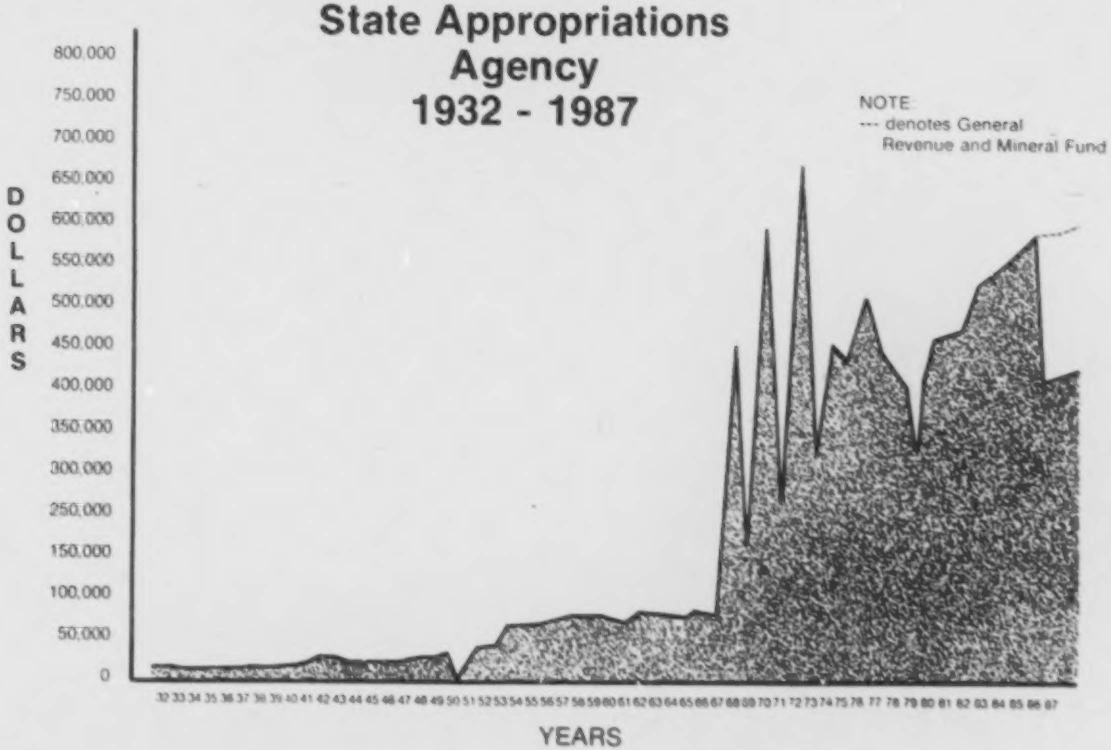
Today, our small Pueblo lies scattered in several parcels, mostly within the confines of the El Paso city limits. Our reservation consists of roughly 97 acres of land held in trust by the State of Texas. Of our Tribe's 1,124 members, 800 live in El Paso County and 468 reside on the Reservation. Today, our Pueblo once again faces another challenge of survival as the State of Texas, through Attorney General's Opinion JM-17, has questioned the legality of its responsibility in the protection of our people and their land. It is with this in mind, our very survival, that we are here and that we ask that you listen to our requests and help us to insure passage of H.R. 1344 so that we may continue to progress for the benefit of our people.

Our appropriations relationship with the State of Texas, which began in 1968, has been that of the State providing us with funds for administrative and economic development purposes. This funding has been vital to our progress and our successes and we recognize the fact that we could not have achieved what exists today without the State's help. However, funds for the basic needs of health, human services and education have been non-existent. Public Law 90-287, a 1968 Act of Congress providing recognition of the Tiwa Indians of the Ysleta del Sur Pueblo as an American Indian Tribe, specifically stated that our Tribe or its members shall not be "eligible for any services performed by the United States for Indians because of their status as Indians . . . and that none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Tiwa Indians of Ysleta del Sur." Thus, we have not been eligible for federal Indian services and the State has been unable to provide the necessary funds and programs to address these needs.

Although we can proudly state that our present endeavors in tribal enterprises are somewhat successful and have achieved national recognition and acclaim, we must also recognize the fact that our people are still under-educated and lack adequate health care. We have only two college graduates within our membership and 67% of our adult population have less than a high school education. The majority of our people are forced to go into Mexico for their health care needs as the costs of health care on this side of the border are beyond their means. Health and dental care continue to be a crisis as our limited resources can only address a small percentage of those in need. While unemployment has been reduced from 57% in 1983 to 20% in 1985, the majority of our people continue to work for minimum wage. The average per capita income for our Tribe is approximately $2,500 per year. Low as it is, we have made gains the past few years.

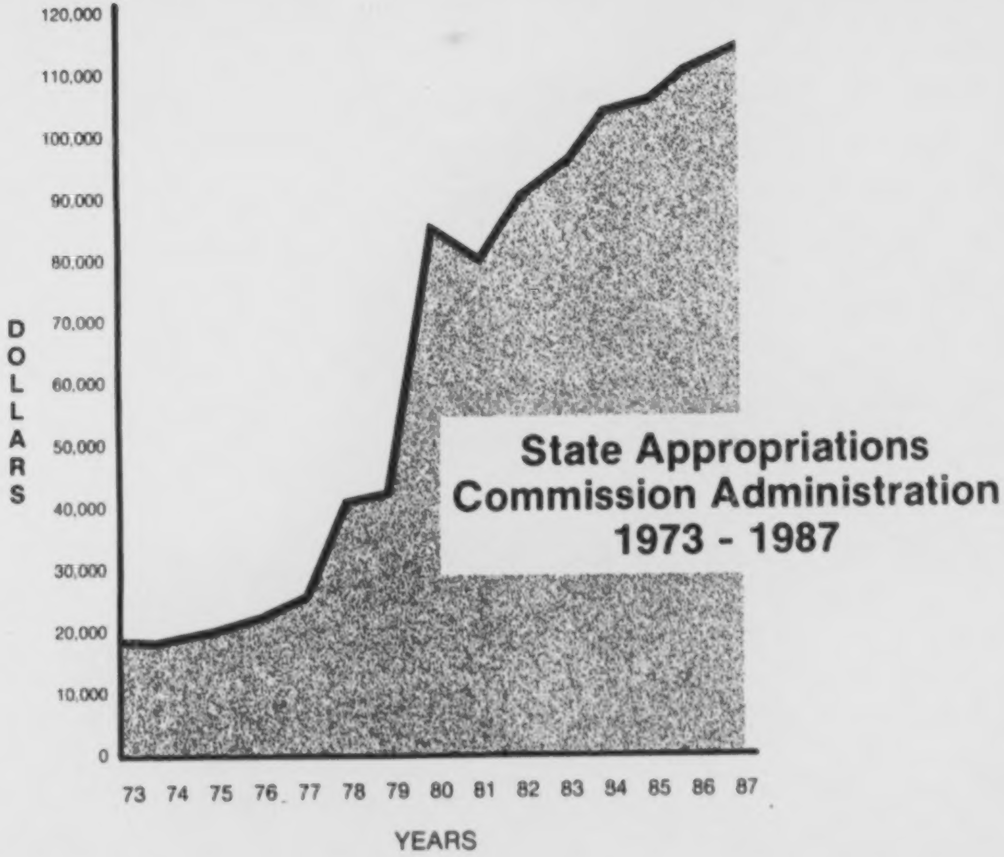
We have prepared short reports that describe in more detail the structure of our traditional government, the tribal land base, our Reservation's health and social services programs, the tribal business enterprises, and the tribal housing program. We have also prepared some charts and graphs that show some of the population, income and educational statistics for our people and our Reservation. These are attached to my statement.

In addition, we would like to submit a report prepared by Dr. Rex Gerald, an anthropologist at the University of Texas at El Paso. This report, entitled "The Tigua Indians of Ysleta del Sur Pueblo, Texas: Historic Pueblo Immigrants From New Mexico,"



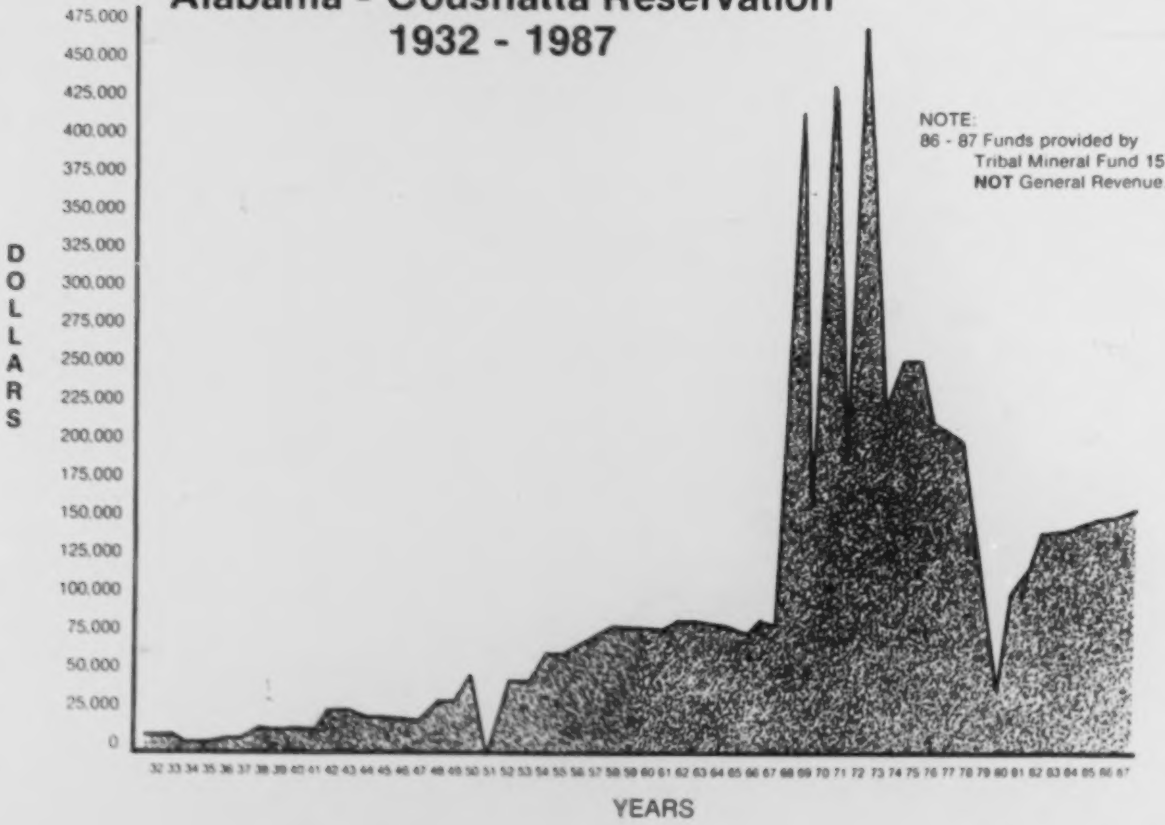
State Appropriations
Agency
1932 - 1987

NOTE:
--- denotes General Revenue and Mineral Fund

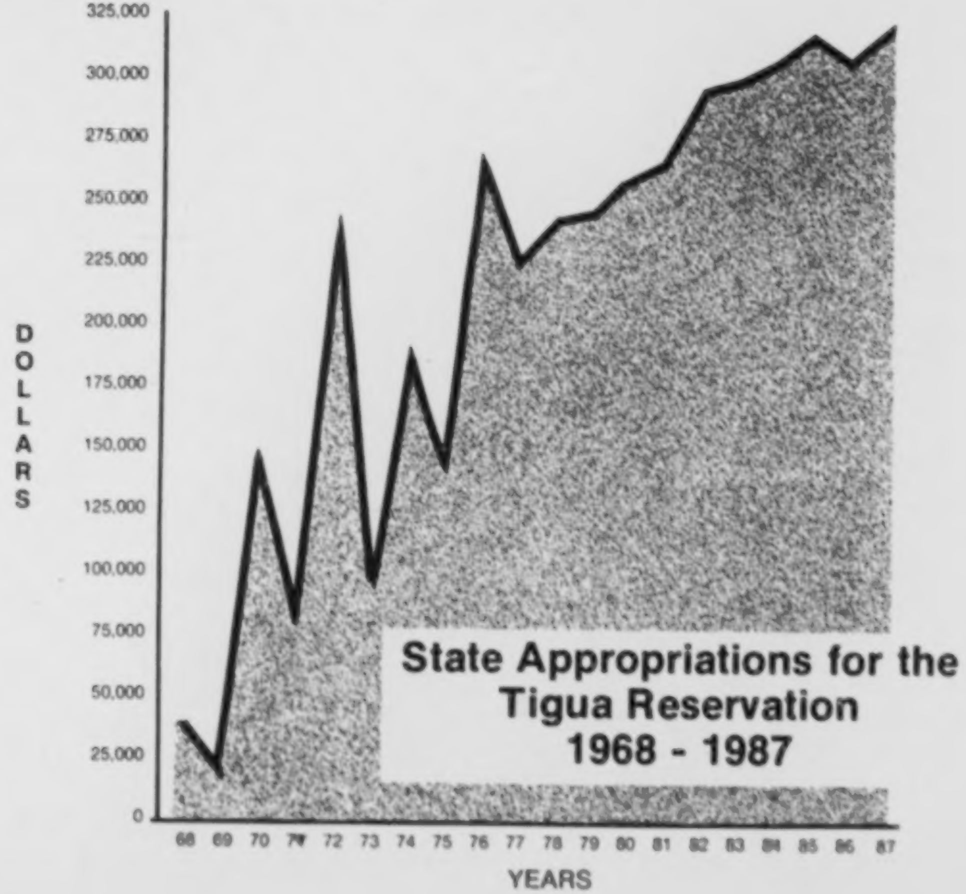


State Appropriations Commission Administration 1973 - 1987

State Appropriations for the Alabama - Coushatta Reservation
1932 - 1987



NOTE:
86 - 87 Funds provided by
Tribal Mineral Fund 157 -
NOT General Revenue.



State Appropriations for the Tigua Reservation 1968 - 1987

analyzes the history and political and cultural existence of our Tribe. We are also submitting for the record a copy of our tribal roll as certified by the Texas Indian Commission, together with two resolutions: Tribal Council Resoultion No. TC-5-84, certifying the roll as the permanent roll of the Ysleta del Sur Pueblo and Texas Indian Commission Resoultion TIC-85-005 which accepts and certifies the roll.

Before closing, I would like to comment briefly on the new proposed section 107, which would prohibit, as a matter of federal law, all gambling or bingo on our reservation. We have requested that such a prohibition be included because that accurately states our own tribal custom--we do not now nor have we ever permitted gambling in any form on our reservation. Attached to my statement is our Council's resolution that more fully states our position on this matter.

We ask only that we be placed in the same status as our sister Pueblos to the north and the other Indian tribes of this country. The status of our lands under state trust is uncertain, and the prospects for continuation of state funding in the future does not look very bright either.

We realize that federal status will not solve our problems overnight and that federal resources are also limited. However, we believe that with the help of those federal resources and with the guaranteed survival of our Pueblo lands under the "trust" of the United States Government, together we can continue the work of solving some of our problems and addressing the needs of our people.

On behalf of the Tribal Council of the Ysleta del Sur Pueblo, our Cacique, and our people that we are here to represent, I urge you to pass H.R. 1344. We thank you for giving us this opportunity and listening to our testimony.

Respectfully submitted,

Miguel Pedraza

GOVERNMENT OF YSLETA DEL SUR PUEBLO

The government of Ysleta del Sur Pueblo at the Tigua Indian Reservation is one of the purest traditional forms of American Indian and specifically Pueblo Indian government remaining in this country.

As defined in tradition and documented by early Spanish explorers, pre-Spanish influence or native/indigenous Pueblo governments were involved primarily with religious affairs, but did have secular officers selected by religious leaders.

The village was headed by a town or village chief holding his position for life, with some checks on his power provided by the war captain (or war chief) and the council priests. Removal could only be made for incompetency or sacrilege. In Isleta, he is called Taikabede (note: the Arawakon/Spanish term Cacique is used by non-Indians to designate the highest ranking priest or chief in the ceremonial organization of the Indian pueblo and is commonly used by Rio Grande Pueblo Indians themselves when speaking of their town or principle cheif to non-Indians).

While the priest did not involve themselves in secular affairs, they did have final authority in all matters sacred and profane. Secular officers performed ordinary and routine responsibilities and deferred all important decisions to the priests.

In the 1680's and 90's. Spanish authorities in order to facilitate civil administration, enhance missionary efforts, and reduce native religious influence, required the adoption of a new structure and appointment of a set of civil officers in each pueblo. These officers were usually a governor, a lieutenant governor an alguacil or sheriff, and fiscales (church wardens). Other minor officials including sacristans, mayordomos (ditch bosses), and so on were created according to need.

The governor was to be the general civil administrator and represent the village in all dealings with outside authorities. The lieutenant governor was to serve as assistant, act in his absence, and in case of death or removal, to replace the governor. The alguacil was charged with maintaining law and order in the pueblo and fiscales were responsible for church discipline, order, and coordination. Other minor officials' offices were defined by need. The war captain (chief) was to serve a dual function, first as perceived by the Spanish, act as leaders of the warriors in the time of need and as perceived by the native authorities, to carry out the orders of the Cacique and insure survuval and practice of traditional customs.

The ultimate goal of the introduction of this "new" system by the Spanish was the displacement of the governmental and ceremonial system by supplanting them with this "new" system. This did not happen. Even today, the native sociopolitical system remains as de facto government and ceremonial organization. In the case of most of the Pueblos, civil officers, based on the "Spanish model" are appointed by the religious leader(s) and some officials such as the war captains continue representing and supporting strictly the religious/traditional side.

In the 1930's through 60's efforts were made by the American government to introduce and have adopted more modern secular government with "new tribal councils" constitutions, and even elections. Despite great pressures to do this, of the nineteen Pueblos in New Mexico and the Hopi in Arizona, only six Pueblos ahve adopted these "modern" elective forms in government.

While these governments have a strong role and influence on civil affairs and on external matters, the religious structure still continues to exert substancial influence on internal community life.

The form and structure of the government of Ysleta del Sur has changed very little from that of the 1680's. Annually, on December 31,all male adultmembers of the Pueblo are called to a meeting in the ceremonial house (Tuh-la) by the Cacique (Taikabede). At the time he announces his selection or "nomination" of officers for the coming year. Unless there is general disagreement of the choices, their appointment is affirmed by the assembled. If there is disagreement the Cacique opens the meeting for nominations. A person is then selected for each office, Governor, Lieutenant Governor, Alguacil, War Captain and four subordinate captains, and Mayordomos (with combined duties and functions of fiscales and mayordomos in the villages). An additional two "council members"are also appointed. The Governor, Lieutenant Governor, Alguacil, War Captain and subordinate captains are invested in office by the Cacique conferring of the Canes of Authority or "mothers" on them, charging them with duties and blessing them. The mayordomos and additional council members are simply blessed and charged with their duties.

The "Council" composed of the Cacique, Governor, Lieutenant Governor, War Captain Alguacil, and two added members, is responsible for the affairs, secular and religious, of the Pueblo. The Cacique functions as chief priest, religious partriarch, head of the Pueblo and the Governor performes civil duties and represents the village in all outside relations and civil functions.

The "1895 Compact," as it is called, the only written document pertaining to the government, is not a constitution, but merely a formal documentation and enumeration of the duties of the civil officers. It did not change either form, structure, or responsibilities and authority. The Pueblo, in keeping with tradition, has no constitution. It has repeatedly refused to adopt one or change their form of government despite repeated and very substancial pressure for change throughout their history by church and government.

THE TRIBAL ROLL OF YSLETA DEL SUR PUEBLO

The Pueblo of Ysleta del Sur has a total enrollment of 1124. Of these, 801 live in El Paso County, Texas and are considered resident members (note: included in this number are students or military temporarily out of the county) and the remaining 323 are located in the remainder of Texas and the nation, primarily in New Mexico, Arizona, and California.

The tribal roll has been certified and registered with the Texas Indian Commission. The roll has been permanently closed with the only new additions or enrollments allowed, after the closing date of December 198~~4~~2, being new born or infant children whose parents are already on the roll and who are 1/8 or more degree of Tigua Indian blood.

The roll which was originally established in 1967 remained open until 1976. From 1977 and 1984 the roll was thoroughly researched, verified, and certified on an individual person by person basis. Tigua heritage and degree of Tigua Indian blood for each individual was established on a geneological basis and verified through the use of oral and written testimonies by tribal elders, historical and current legal records including census rolls (including 1700's and 1800's), military records, school records, birth certificates and marriage licenses, land records, church records, and tribal records and documents.

The present population breakdown by degree of blood quantum is:

8/8	14	11/32	14
6/8	33	5/16	41
11/16	11	2/8	289
5/8	18	3/16	60
4/8	106	5/32	9
3/8	119	1/8	410

Tribal Council Meeting held Thursday, December 16, 1982 at the Superintendent's Office.

Council Members Present:

Johnny Hisa
Mike Pedraza Jr.
Trinidad Granillo Sr.
Armando Ortiz
Arturo Gomez

Vacant Seats: 2

Others Present:

Dolores Chavez
Antonio Silvas Sr.
Mike Pedraza Sr.
Ramona Paiz
Aurora Lopez
Raymond D. Apodaca
Raymond Ramirez
Pablo Silvas Sr.
Elizabeth Garcia

Johnny called meeting to order at 1:55 p.m. followed by invocation by Cacique Trinidad Granillo.

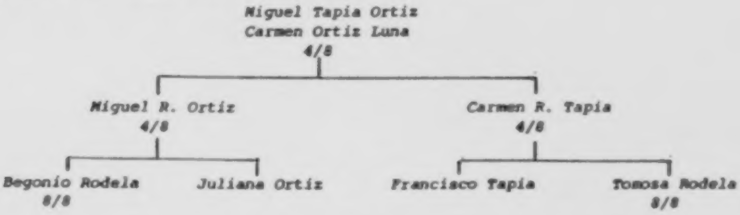
Ray Apodaca explained to those present that the purpose of this meeting was to close Tribal Rolls. The roll has been opened for the last fifteen years and Council feels it is time to close it. All Tribal members were notified in April 1982 that this would be done and were asked to bring any documents that were missing to complete their file. Ray further explained that there was extensive research done and he obtained documents which prove that those registered on the regular roll are of Indian descent and those who are not should be removed. The degree of blood quantum was determined by documents furnished by the applicants and by memories and oral testimoney of elders. Ray reported that there are eight families where there is no doubt they are of Indian descent but we need to determine their blood quantum. Then there is one family that there is doubt on whether they're of Indian descent.

The following seven families were reviewed:

1. Florencia Duran Garcia - question whether husband Leonardo P. Garcia is Indian. Husband is non-Indian.

2. Leo Maese Pedraza (his brothers) & sons - There is a question on whether on the Maese's side are Indians. Maese Family is non-Indian therefore Leo Pedraza and his brothers Simon and Benjamin are 2/8 which makes their children 1/8.

3. Miguel Tapia Ortiz and his sister Carmen Ortiz Luna

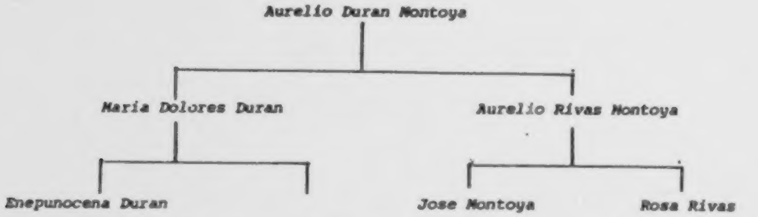


The question is whether Juliana Ortiz and Francisco Ortiz are Indians. They are non-Indians.

4. Applicant Josefa Tapia Duran - is non-Indian.

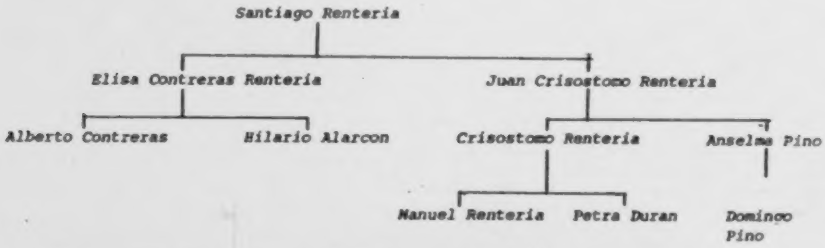
5. Applicant Eduardo Telles Tapia - non-Indian.

6. Aurelio Duran Montoya



There is no record for these persons. Aurelio Duran Montoya is non-Indian.

7. Santiago Renteria



Santiago Renteria claims that his great-grandfather on his father's side is Indian. Armando Ortiz suggested that they should ask Santiago to come before the Council to testify and prove Petra Duran is of Indian descent. Johnny Hisa opposed to this, as this meeting is for the purpose of closing roll; he feels that applicant's were given sufficient time to bring documents needed. Being that there is no document or prove that Petra Duran is Indian, it was determined that Santiago Renteria is non-Indian as testified and agreed to by everybody present.

Additional applicants that had never been reviewed were presented:

1. Minerva Cristina Guardado - non-Indian
2. Irene Solis Carbajal Ortega - (Felipa's daugther) non-Indian
3. Emilia Martinez - Pablo Carbajal's niece - Indian
4. Kenneth Andrew - non-Indian

5. Timothy Mark Baquera - non Indian
6. Vince Baquera - non-Indian
7. John Baquera - non-Indian
8. Veronica Alvidrez - Indian
9. Rosa Marrufo Apodaca - non-Indian
10. Ramona Maria Apodaca - non-Indian
11. Ricardo Guerra Duran - non-Indian
12. Johnny de la Cruz - non-Indian
13. Bertha Gonzalez Gonzalez - non-Indian
14. Rodolfo Reyna - non-Indian
15. Eduardo Holguin - non-Indian
16. Ramon Alvidrez - Indian (Concha Alvidrez's brother)
17. Hector Soto Holguin - non-Indian
18. David Dominguez Perez - non-Indian
19. Elodia Duran Morales - non-Indian
20. Juana Isabel Tapia - non-Indian
21. Victor Gonzalez Padilla - non-Indian
22. Ricardo Alvarez - non-Indian
23. Dolores Garcia Alvidrez - non-Indian
24. Bertha Candelaria Melendez - non-Indian
25. Jose Jacquez Lopez - non-Indian
26. Elsie Kitchum - non-Indian
27. Clara Portillo Telles - non-Indian
28. Norma Holguin Arriaga - Indian
29. Guadalupe Holguin Trevizo Melendez - Indian
30. Ramon Acosta - Indian
31. Isabel Holguin - Indian
32. Enrique Holguin - Indian
33. Ofelia Holguin - non-Indian
34. Michael Gomez - less than 1/8 - cannot enroll
35. Maria Cruz Provencio Garcia - non-Indian
36. Severo Alvidrez - non-Indian
37. Oscar Cordero Pedraza - Indian
38. Maria Julieta Saenz Candelaria - Indian

After review and final determinations, Ray stated that roll will be typed and be presented to the Council to assure them there has been no changes.

In reviewing list, Ray Apodaca reported that were about eight families not living in the United States and could not register.

It was decided that Ramon Alvidrez and Emilia Martinez will be requested to bring more records to complete their file.

Having completed these reviews, it was noted and agreed by all persons present that with these corrections, the Tribal roll now stands fully corrected and in a proper state for closure and certification.

At 4:10 p.m. Armando motioned that Tribal Roll be closed and no additions be made, seconded by Mike Pedraza and the motion carried on a vote of 5 Ayes, 0 Nays, 2 Vacant Seats.

Armando Ortiz requested these proceedings be legal and notarized. At 4:17 p.m. those people present rose and were sworn in to the effect that the information having been given was true and correct to the best of their ability and knowledge.

No further business to discuss, meeting adjoured at 4:20 p.m.

I certify that the above information is true and correct to the best of my knowledge.

Johnny Risa, Governor

Mike Pedraza
Mike Pedraza Jr., Council Member

Trinidad Granillo Sr., Cacique

Armando Ortiz
Armando Ortiz, Lt. Governor

Arturo Gomez
Arturo Gomez, Alguacil

Dolores Chavez
Dolores Chavez

Antonio G Silvas
Antonio Silvas Sr.

Miguel Pedraza Sr
Mike Pedraza Sr.

+
Ramona Paiz WITNESS: Angelina Granillo Ortega

Aurora Lopez
Aurora Lopez

Raymond D Apodaca
Raymond D. Apodaca

Raymond Ramirez
Raymond Ramirez

Pablo Silvas
Pablo Silvas Sr.

BEFORE ME, the undersigned authority, personally appeared Johnny Nisa Mike Pedraza Jr., Trinidad Granillo Sr., Armando Ortiz, Arturo Gomez, Dolores Chavez, Mike Pedraza Sr., Ramona Paiz, Aurora Lopez, Raymond D. Apodaca Raymond Ramirez, Pablo Silvas Sr., Antonio Silvas Sr., and affirmed that the foregoing information is true and correct to the best of their knowledge.

Sworn and subscribed to before me, this the 16th day of December, 1982.

Elizabeth Garcia Notary Public
El Paso County, Texas

Commission Expires:

November 20, 1984

TRIBAL LAND BASE

The Ysleta del Sur Pueblo was established in 1680 following the Pueblo Indian revolt against the Spanish. The Mission of San Antonio de los Tigua (Ysleta Mission) was built and established in 1682, which is still used to this day. The Tiguas of the Ysleta del Sur Pueblo received a Four League Grant from King Charles V of Spain in the year 1751, measuring one league in each cardinal direction from the Mission doors. This Land Grant was officially recognized by the Mexican government in 1834. Later in 1854, the State of Texas confirmed the Ysleta Grant and, at the same time, granted the Pueblo additional land to compensate for the loss of land resulting from a change of course of the Rio Grande River. The 1854 Act also provided that a patent for these lands should be issued to the Tribe. The Treaty of Guadalupe Hidalgo, in 1848, also guaranteed the protection of these lands.

During the year of 1871, the Texas Legislature enacted legislation creating "An Act to Incorporate the Town of Ysleta in El Paso County". The boundaries of this corporation were co-extensive with those of the Ysleta Grant and gave the corporation the authority to dispose of the land to actual or intended settlers. Two years later, this law was declared unconstitutional although all the land transactions were deemed valid. However, through enforcement of this law, and by deception and legal manipulations, the Tigua natives had been dispossessed of all but three of the original 23,040 acres of the Pueblo land.

The Ysleta del Sur Pueblo currently contains a widely scattered land base consisting of 97.474 acres. With the exception of the few acres that have remained with the Pueblo since 1871, the remaining land base was purchased by the Pueblo and/or by the State and held in trust by the State since 1967. A descriptive breakdown of these lands is as follows:

ADMINISTRATION COMPLEX - 2.43 acres located approximately 14 miles south-southeast of El Paso, 1 mile north -northwest of the Mexico-United States International Boundary (Rio Grande-Zaragosa Crossing). The administration complex area includes administrative offices, Pottery Production Plant, a warehouse, maintenance facilities, storage buildings, Superintendents house, a greenhouse and parking area.

CULTURAL CENTER & RESTAURANT - 4.4414 acres located directly west of the Administration Complex. Facilities in this area consist of an Arts and Crafts Shop, Cultural and Historical Tour area, Restaurant, a second Restaurant currently under construction, and a parking area.

TUH-LA - The Tuh-la is the Pueblo's traditional meeting house located 1/2 mile north of the Administration Complex on 0.483 of an acre.

HOUSING - The Ysleta del Sur Pueblo Housing Area is located ¼ of a mile east of the Administration Complex on 52.592 acres. This area includes a 113 unit housing community, a multi-purpose community center/recreation area (presently being used as a Headstart/Early Childhood Center), and a community laundromat.

SPICE PLANT - Two acres located 16 miles east of the Administration Complex in Fabens, Texas. This area consists of two building; one being a spice blending facility and the other a cold storage facility.

SABINAS SITE - 20.328 acres located approximately 20 miles northeast of the Administration Complex. This site is recognized as a national archeological site and cannot be used for any purposes. There is no water or utility access to this site.

HUECO TANKS - 15.1996 acres located approximately 30 miles north of the Administrative Complex. This site is adjacent to the Hueco Tanks State Park and has no water or utility access.

Although none of these lands contain any natural resources, The Pueblo does maintain 77,905 square feet of building space. Several of the existing structures are of historical value as they date back to the 1600 and 1700's.

Of other significance, the Pueblo had 10,400 acres of land leased from the State of Texas. The Hueco Mountains Wilderness and Wildlife Refuge, considered by the Pueblo as their traditional hunting grounds, was maintained by the Pueblo until September of 1984 at which time the State revoked the lease and reclaimed the land. The Pueblo had spent thousands of hours and thousands of dollars in maintaining this land in its natural state, and in providing feed and water to the existing wildlife. The State Land Commission concluded that these efforts were not sufficient and in turn, cancelled the lease. The Land Commission felt that they could create revenue for the State by converting this land into a hunting preserve. Efforts to secure this land, as traditional hunting grounds, back to the Pueblo have failed.

HEALTH AND SOCIAL SERVICES PROGRAMS

The Health and Social Services Programs on the Ysleta del Sur Pueblo have been very limited due to a lack of resources and funding. The Health Services Program consists of one Medical Aide funded by the State of Texas with no operational funds available. Our services are limited to emergency transportation and minor medical treatment. The majority of the Tribal members have consistently relied on going into Mexico to buy prescriptions, receive medical and dental care as well as other services provided in Mexico at less cost.

Since the inception of the DOL/CETA/JTPA Program in June 1979, progress has been made in the Tigua Indian Community in regards to education and employment. In a six year period, 44 Tribal members were able to get their GED certificates and 18 have completed vocational courses thru International Business College, El Paso Trade School and El Paso Technical School. The employment section, has had, and still has a major impact on the community, in that the Program has been a very positive factor in reducing the unemployment rate to its current level of 18% - 20%. The thrust of the Program has been to take into consideration the problems facing the community, such as: limited education, lack of transportation, child care problems, family/marital problems and in some cases drug and alcoholism use, which in some individuals has been remedied. Furthermore the natural shyness and insecurity of the people have been addressed and in some instances alleviated.

In the seven year period following State and Federal recognition (1968 to 1975), there were so many survival matters to cope with that education received little attention. In 1976, however, a community education project was funded through a $49,600 grant from the Office of Indian Education, DHEW-OE. This project included daycare/pre-kindergarten, a library, and a counseling program for school age children. This was very successful. It was located in the original community building and not only provided the activities indicated but also employment for a number of Tribal members. Unfortunately funding was not provided for the years 1977 and 1978. A minimum level program was continued in these years and once again in 1979 a $74,000 grant was received from OIE.

In July of 1979 a new concept was begun, consisting of daycare/child nutrition, family counseling, community resource center/library and Tigua cultural awareness and language instruction. This was funded for $75,000 in 1980 and $80,000 in 1981. Once again funds were cut off and the project was inactive until February of 1985. At this time Project Bravo initiated The Tigua Headstart Program. This provides classes for handicapped 3 year olds, all 4 and 5 year olds too young to attend public school. The program includes medical and dental checks and a nutritious daily meal. This program is located in the Community Center Building - which provides the Tribe with Rental income - and is anticipated to have 400 participants in the school year starting in September 1985. Thirteen Tribal members are currently employed in this program.

Continued effort are being made to improve the education level or education appreciation of the Tribal members who are beyond the normal school age. The first economic goal reflect these efforts.

The problem of alcoholism on the reservation can be equated to that of other reservations. The establishment of the Tigua Alcoholism Program, which is funded by the State, has made some headway. Like our Health Program, the Alcoholism Program is staffed by one person and faces severe shortages of resources and funds.

TRIBAL ENTERPRISES

Tribal Enterprises, after suffering through several years of sincere effort but several failures, has now begun to come into its own. The potential success that we enjoy today has, in part, been brought about by the lessons that have been learned from those projects that failed. Among those projects which were tried but proved unsuccessful are: 1) Sale and Manufacture of Indian Handicraft - jewelry and corn husk dolls were tried, and although a market exists of these products, the marketing and overhead costs were just too expensive and created a constant drain on other assets; 2) Day Care operations were well received but when funding was withdrawn of the federal level, the operating costs were beyond the means of the Community members using the facility; 3) Spice production and marketing was a good idea but again the fixed operating costs were beyond the scope of the production capacity; 4) The Spice Plant, which began its operation in 1981, was and is an excellent project, however, the manner in which necessity mothered the concept of a joint venture with a consortium of area farmers also led to an inevitable "captive company" situation with no gain but rather a constant drain on assets.

Turning these losses into profit became a major objective of Tribal Enterprises. In order to accomplish this task the following steps were taken: 1) The Spice Plant is now leased to the Paso Pak Company with guarantees that employment priority would be afforded to Tribal members. Currently five full-time year around positions are held by Tribal members with an additional 15 positions during the peak harvesting season. 2) The Community Center and 40 passenger bus are now leased to Project Bravo for the Tigua Headstart Center. Thirteen Tribal members are now enployed on a full-time basis at this center. 3) Jewelry production equipment has now been leased to another Indian owned firm. With these current lease arrangements the Tribe now has a positve cash flow on a monthly basis. These non-productive or negative production activities have been converted to solid advantages and have provided a means for the orderly retirement of our SBA loans.

The care of Tribal Enterprises, and by far our most successful venture, lies within the Pueblo's Restaurant, Arts and Crafts Center, Cultural Center and Pottery/Ceramic Manufacturing. These enterprises employ a total of 44 people, of which 23 are Tribal members, with many of the non-Indian employees being spouses of Tribal members. A second restaurant is presently under construction and is scheduled to open in November of 1985. This new venture will provide additional employment opportunities.

With the implementation of new management controls and expanded inventories, these enterprises have had dramatic increases in sales. Sales increased 57% in FY 1983-84 over FY 1982-83 and in FY 1984-85 sales incresed 106% over FY 1983-84. The Tigua Restaurant has received national acclaim in publications such as *Good Food in America*, *People Magazine*, as well as in many other publications. The Tigua Restaurant is fast becoming one of the most popular restaurants in the area. Along with this, Tigua pottery is also considered some of the finest pottery in the southwest.

In July of 1985, the Pueblo submitted a Five Year Overall Economic Development Plan to the Texas Indian Commission. The basis of this plan was the result of a joint sponsored study between the Ysleta del Sur Pueblo and the City of El Paso in developing the *Ysleta Downtown Development Program*. The purpose of this study was to develop a market reconnaissance designed to identify existing market conditions; potential development opportunities; existing development constraints; and preliminary development program concepts. The Pueblo funded 40% of the cost of this study and more importantly, proved that an Indian Tribe and a City can work hard in hand *developing economic opportunities that will benefit all citizens. The Tribe has now set some very realistic goals in the area of economic development and has assured support from the City of El Paso.*

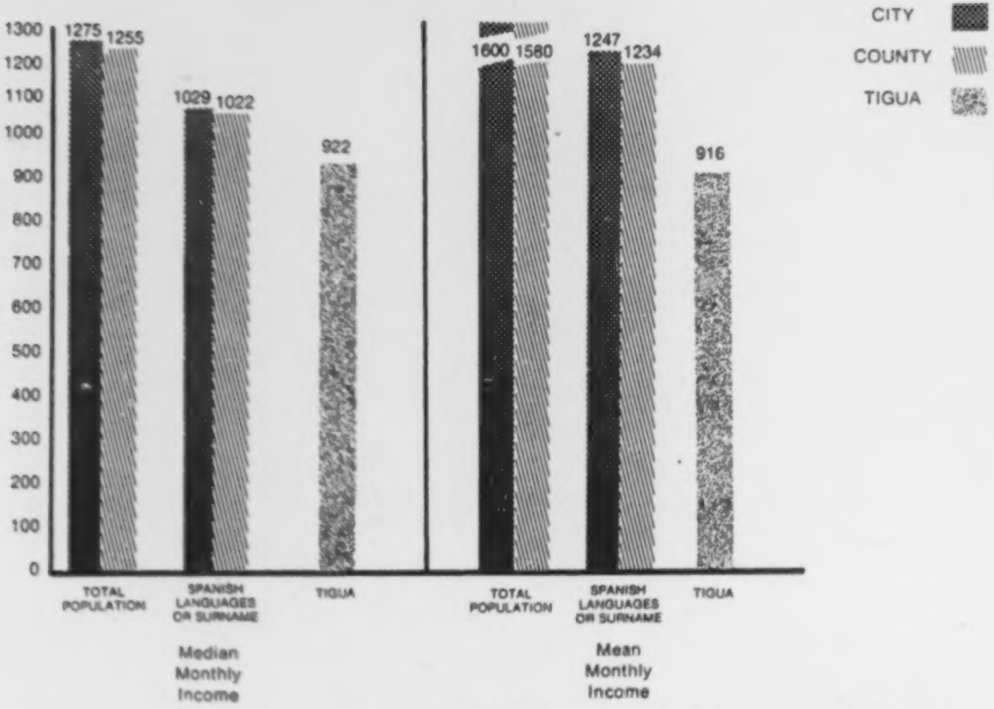
This brief summary of Tribal Enterprises has shown that the Ysleta del Sur Pueblo has the capabilities to develop viable enterprises as well as to turn failures into profit making ventures.

HOUSING

Housing for the Ysleta del Sur Pueblo, the issue that first brought the Tribe to public attention and rusulted in both Federal and State recognition, has improved greatly over the past sixteen years. With the purchase of 52 acres of land by the State, the U. S. Department of Housing and Urban Development awarded the Pueblo $3,925,022 in Fiscal Years 1976 and 1977 for the purpose of building 11~~4~~3 units of housing for Tribal members.' Along with the housing units, a multi-purpose community center/recreation area (presently being used as a Headstart/Early Childhood Center) and a community laundromat were also constructed. Upon completion of the first phase of construction, the Tigua Indian Housing Agency was established under the auspices of the Texas Indian Housing Authority. The Texas Indian Housing Authority is made up of the Executive Director and three Commissioners of the Texas Indian Commission, and the Housing Boards of the Tigua Indian Housing Agency and the Alabama/Coushatta Housing Agency.

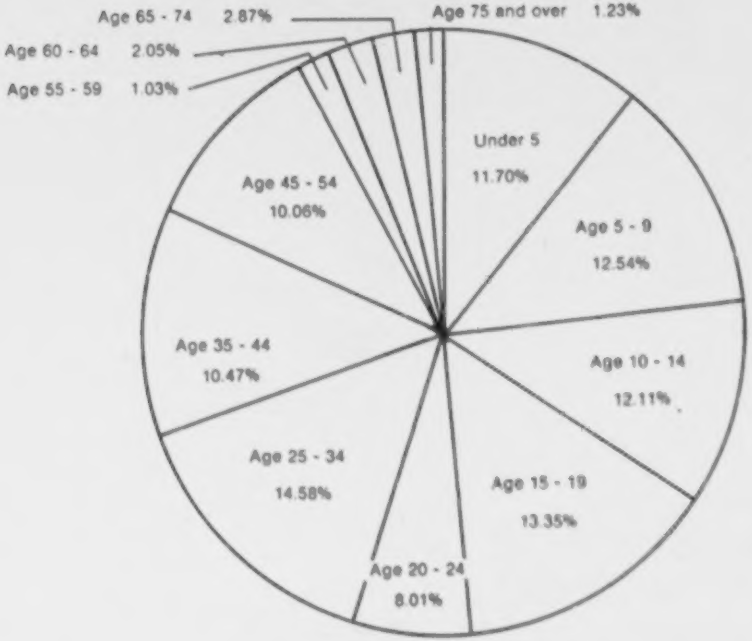
At the present time, 11~~3~~2 units of housing are occupied with one unit having been found structurally unsafe for habitation. The Tigua Indian Housing Community currently has a total of 468 residents with an average of 8-15 families on a continual waiting list. The Housing Agency is governed by a board of directors (made up of the Tribal Council members) and is staffed by a Director, Secretary and a temporary Social Services Coordinator. As these housing units are under Mutual Help Housing (with no rental units), the majority of local Tribal members are now residing in standard housing and many are accruing equity toward the purchase of their own homes.

AREA HOUSEHOLD INCOME - 1979
TIGUAS - 1985



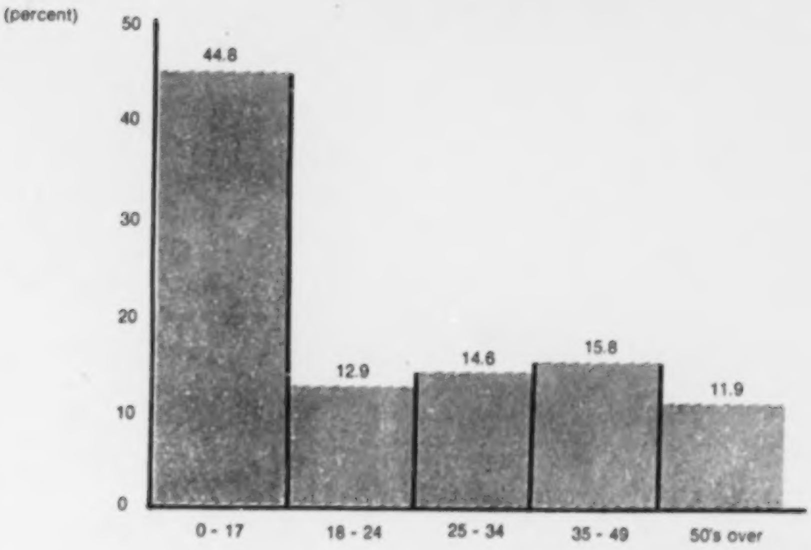
Source: El Paso Book and 1983 El Paso Market Survey
Thomas F. Lee and Associates and Tribal Survey 1985

POPULATION CHARACTERISTICS - %
1985 YSLETA DEL SUR PUEBLO

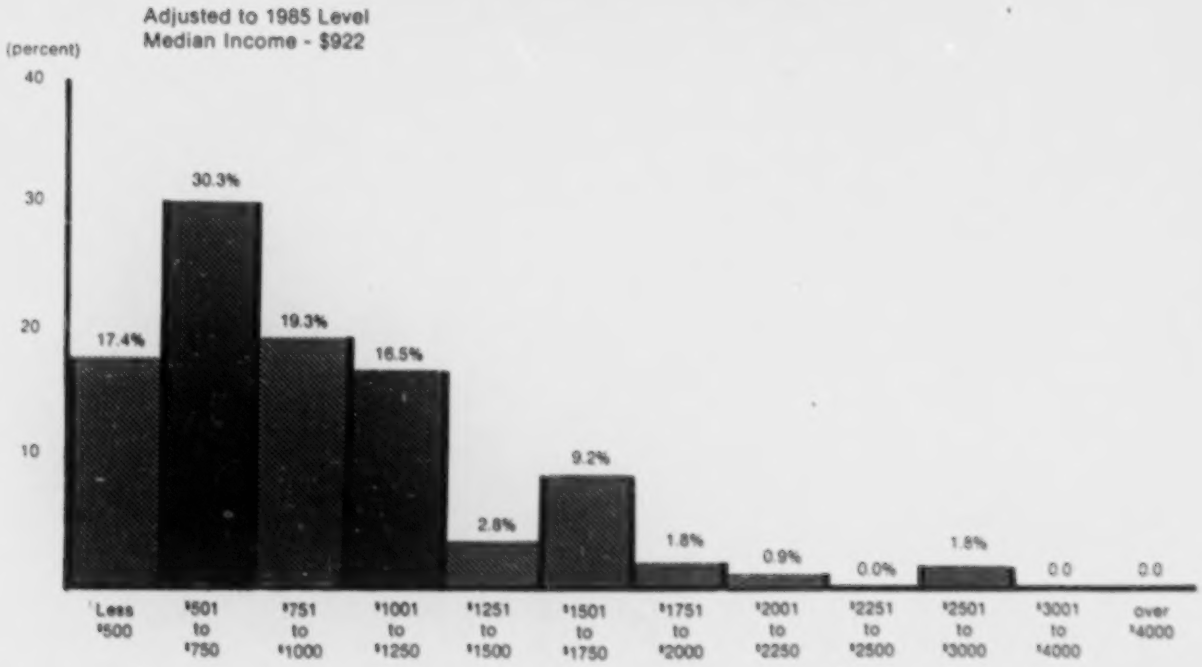


Source: U.S. Census 1980 and Tribal Survey 1985

YSLETA DEL SUR PUEBLO AGE GROUPINGS BY PERCENTAGE



YSLETA DEL SUR PUEBLO HOUSEHOLD MONTHLY INCOME ALL SOURCE - 1985 (%)



Ysleta del Sur Pueblo Council
Resolution Number TC-02-86

WHEREAS, on December 16, 1985, the United States House of Representatives passed H. R. 1344, a bill to provide for the restoration of the federal trust relationship to the Ysleta del Sur Pueblo (Tigua Indian Tribe of Texas), and H. R. 1344 is now before the United States Senate for consideration; and,

WHEREAS, after hearings on H. R. 1344 before the House Committee on Interior and Insular Affairs on October 17, 1985, the Comptroller of Public Accounts for the State of Texas raised concerns that H. R. 1344 would permit the Tribe to conduct high stakes gambling and bingo operations to the detriment of existing charitable bingo operations in the State of Texas; and,

WHEREAS, the Comptroller urged members of the Texas Congressional Delegation to defeat H. R. 1344 unless the bill was amended to provide for direct application of state laws governing gaming and bingo on the reservation; and,

WHEREAS, the Ysleta del Sur Pueblo has no interest in conducting high stakes bingo or other gambling operations on its reservation, regardless of whether such activities would be governed by tribal law, state law or federal law; and,

WHEREAS, in response to the concerns voiced by the Comptroller and other officials, the Tribe attempted to insure that H. R. 1344 would give the Tribe no competitive advantage in gaming operations by agreeing to amend H. R. 1344 to provide that any gaming activities on the reservation would be conducted pursuant to tribal law that would be required to be identical to state law, and H. R. 1344 was so amended by the House Interior Committee; and,

WHEREAS, some state officials and members of the Texas congressional delegation continue to express concern that H. R. 1344, as amended, does not provide adequate protection against high stakes gaming operations on the reservation; and,

WHEREAS, the proposal that H. R. 1344 be amended to make state gaming law applicable on the reservation continues to be wholly unsatisfactory to the Tribe in that it represents a substantial infringement upon the Tribes' power of self government, is inconsistent with the central purposes of restoration of the federal trust relationship, and would set a potentially dangerous precedent for other tribes who desire to operate gaming facilities and are presently resisting attempts by State to apply their law to reservation gaming activities; and,

122 S. Old Pueblo Rd. El Paso, Texas 79907 (915) 859-7913 Administration 859-3916 Cultural Center

Resolution #TC-02-86

WHEREAS, the Ysleta del Sur Pueblo remains firm in its commitment to prohibit outright any gambling or bingo in any form on its reservation; and,

WHEREAS, although the Tribe, as a matter of principle, sees no justification for singling out the Texas Tribes for treatment different than that accorded other Tribes in this country, the Tribe strongly believes that the controversy over gaming must not be permitted to jeopardize this important legislation, the purpose of which is to ensure the Tribe's survival, protect the Tribe's ancestral homelands and provide the Tribe with additional tools to become economically and socially self-sufficient;

NOW THEREFORE BE IT RESOLVED, that the Ysleta del Sur Pueblo respectfully requests its representatives in the United States and House of Representatives to amend Section 207 of H. R. 1344 by striking all of that section as passed by the House of Representatives and substituting in its place language which would provide that all gaming, gambling, lottery, or bingo, as defined by the laws and administrative regulations of the State of Texas, shall be prohibited on the Tribe's reservation or on tribal land.

DATE: 3-12-86

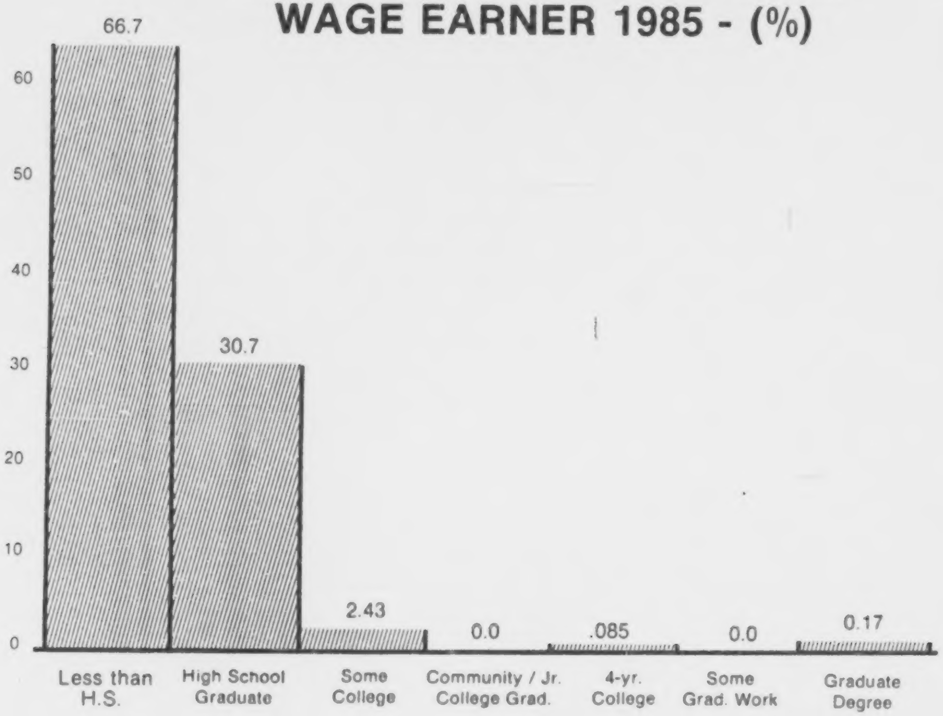
APPROVED: Miguel Pedraza
Miguel Pedraza Jr.
Governor

I certify that the foregoing Resolution has been approved and is recorded in the Minutes of the March 12, 1986 Meeting of the Ysleta del Sur Pueblo Council.

DATE: March 12, 1986

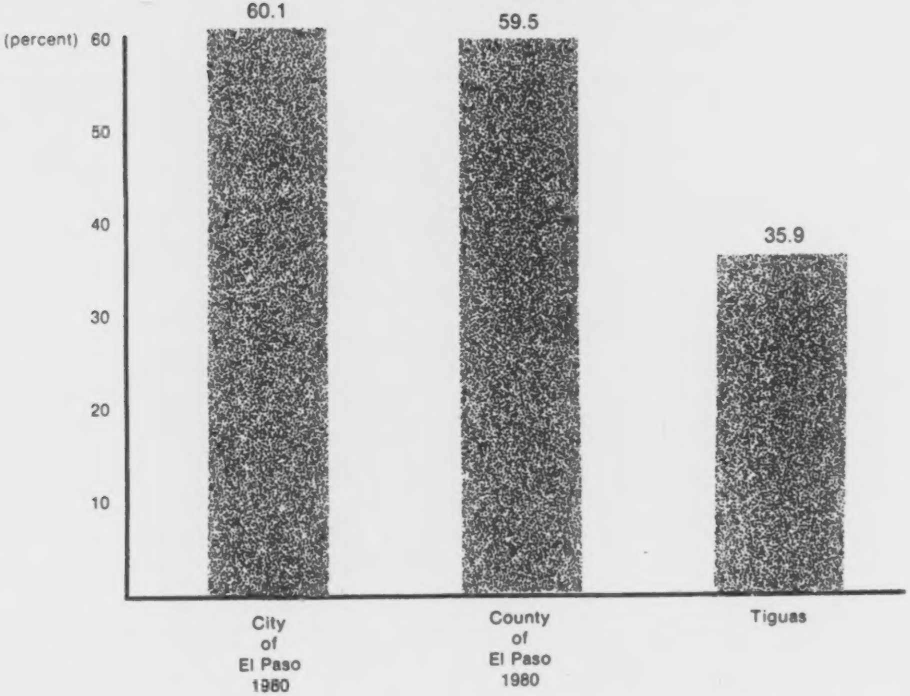
CERTIFIED:
Raymond Ramirez
Superintendent

YSLETA DEL SUR PUEBLO EDUCATION LEVEL OF CHIEF WAGE EARNER 1985 - (%)



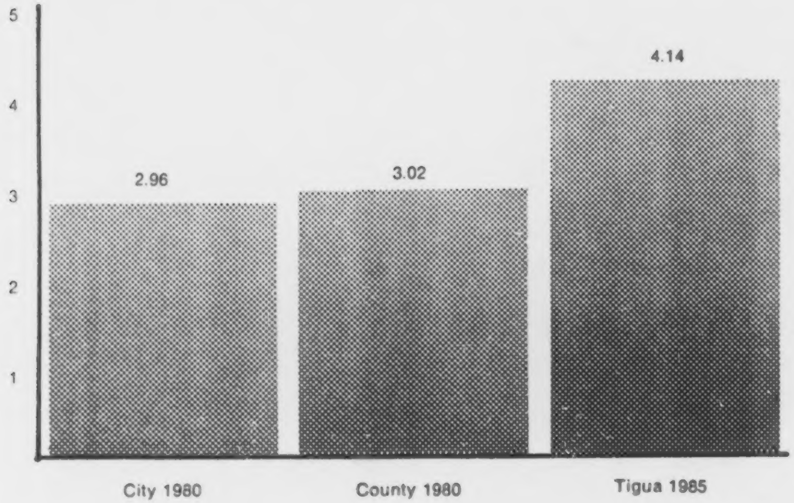
EDUCATION LEVELS %

Individuals 25 Years of age or older
with High School Degree or Equivalent



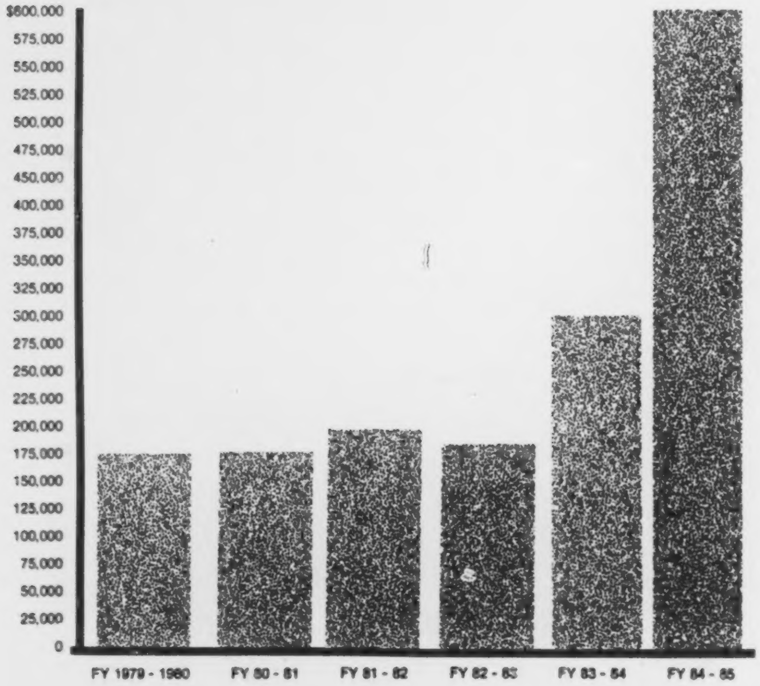
Source: U.S. Census 1980 and Tigua Survey - 1985

POPULATION PER HOUSEHOLD

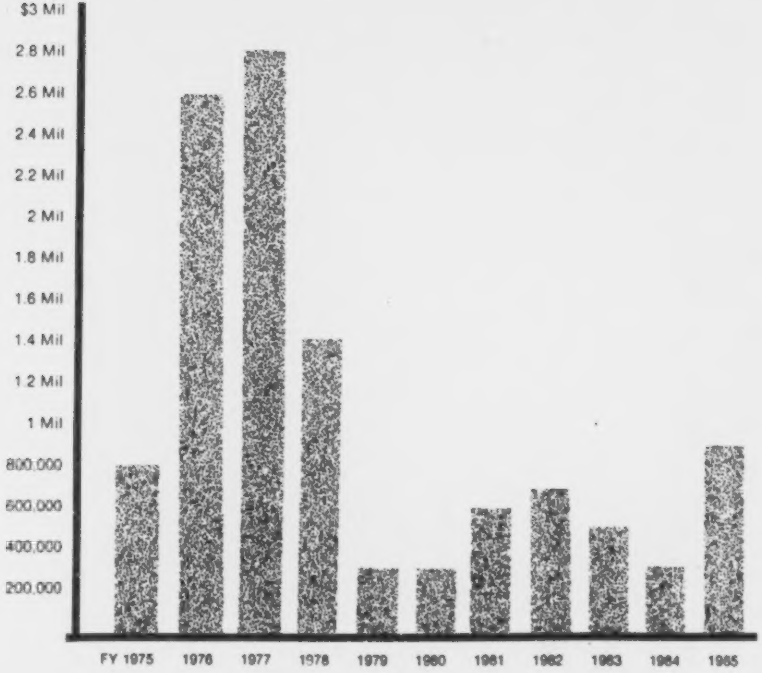


Source: El Paso Fact Book - U.S. CENSUS AND
Tribal Survey 1985

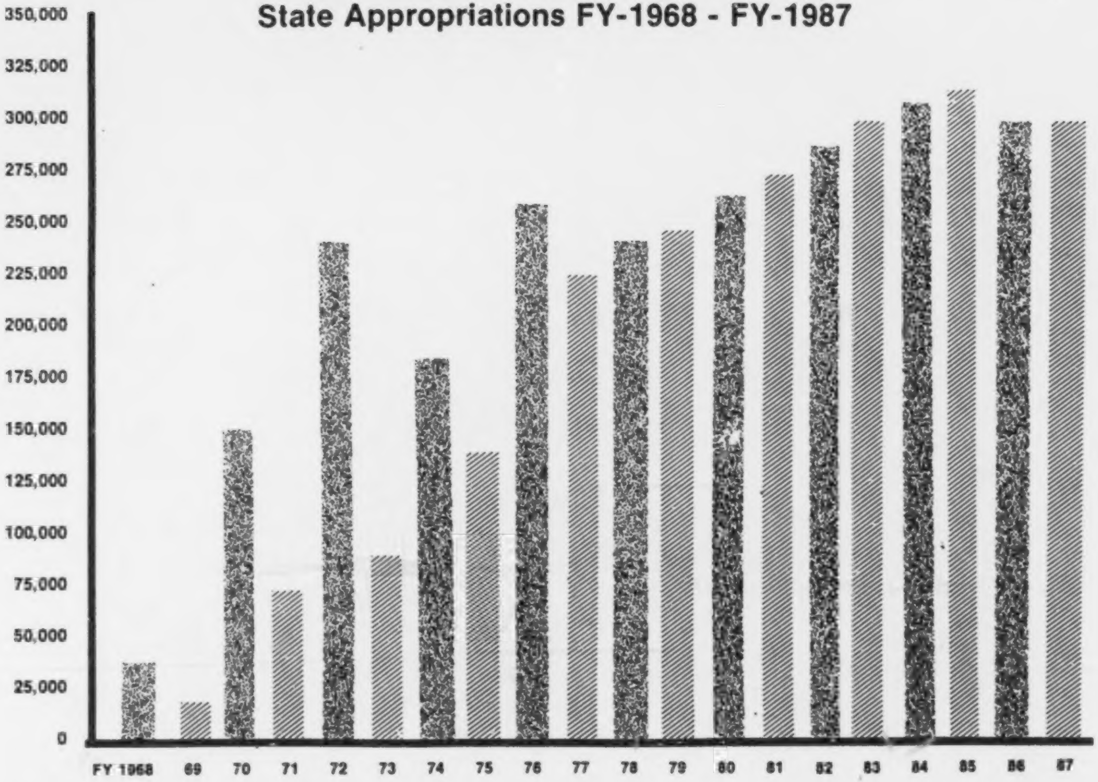
YSLETA DEL SUR PUEBLO
Cultural Center and Restaurant
(Gross Sales)



YSLETA DEL SUR PUEBLO
Federal Funds Received FY 1975 - 85



TEXAS INDIAN COMMISSION
YSLETA DEL SUR PUEBLO
State Appropriations FY-1968 - FY-1987



THE TIGUA INDIANS OF YSLETA DEL SUR PUEBLO, TEXAS
HISTORIC PUEBLO IMMIGRANTS FROM NEW MEXICO

By

Rex E. Gerald, Ph.D.

Anthropology Consultant

A Report Prepared
for the

Native American Rights Fund

Boulder, Colorado

10 October 1985

Abstract

The purpose of this report is to analyze existing information regarding the political and cultural existence of the Ysleta del Sur Pueblo as an Indian group elgible for Federal acknowledgment under the criteria set forth in 25 C.F.R. Part 83.7 (a) - (f). This report contains a survey and summary of available documentation and concludes that there is no question that the Ysleta del Sur Pueblo satisfies the criteria set forth in 25 C.F.R. Part 83. Indeed, by any standard, there can be no doubt that the Ysleta del Sur Pueblo has continuously maintained its Indian identity, has continuously inhabited a specific and distinct area, and has maintained a continuous existence as a political, governing entity.

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THE TIGUA INDIANS OF YSLETA DEL SUR PUEBLO, TEXAS HISTORIC PUEBLO IMMIGRANTS FROM NEW MEXICO

by
Rex E. Gerald, Ph.D.

Introduction

The Tigua Indians of Ysleta del Sur Pueblo, El Paso County, Texas, are descendants of Tiwa-speaking Indians who historically inhabited the Pueblo of Isleta, New Mexico. They came in two groups to the El Paso del Norte area in 1680 and 1682, as a result of the Pueblo Revolt of 1680. From that time, they have occupied the same area and have been recognized continuously as an organized Indian Pueblo, initially by the Spanish Governors of New Mexico, in whose domain they resided, and later by the succeeding Mexican and American national governments and by the states of Chihuahua and Texas.

Early in the seventeenth century, before the Pueblo Revolt, Spanish priests of the Franciscan order established missions for the Tigua Indians at Isleta, New Mexico. Following the relocations of 1680 and 1682, Franciscan or secular priests have continued to minister to the spiritual needs of the Tigua in the El Paso del Norte area until the present day. Voluminous records document the Church's recognition of this group as Indians.

Anthropologists, historians, and other scholars have recorded their observations of the Tigua since the latter part of the nineteenth century. Some of the earliest of these were primarily concerned with determining whether the Tigua of Ysleta del Sur Pueblo were indeed Indians who were related to the Pueblo Indians of the same name in the vicinity of Albuquerque, New

Mexico. None of the early students found reason to doubt that the Tigua of Ysleta del Sur Pueblo existed as a tribe or that they were related to the Tiwa of New Mexico.

Following the influx of Anglo-Americans that accompanied the completion of the transcontinental railroads in 1881, numerous El Paso area newspaper articles refer directly or indirectly to the Indians of Ysleta. The persistence of news and feature stories about the activities of the Tigua leave no room for doubt that the local non-Indian community has continuously recognized the Tigua of Ysleta del Sur as a functioning tribal group.

Dealings with Pueblo Indians in neighboring New Mexico has been largely in the nature of personal contacts between members of the respective groups in the past, but recently the result of that relatively continuous intimacy has been the official recognition of the Tigua of Ysleta del Sur Pueblo by several New Mexico Pueblos.

At present, the Tribal Roll contains the names of 1124 tribal members, 801 of whom reside in El Paso County. The large majority occupy tribal or private dwellings that form a community located on or near the Tigua Indian Reservation. The list of tribal members is attached, as is an example of the certificate utilized by the Texas Indian Commission for recording membership in the tribe (Appendix D). Sporadic baptismal, marriage, and death records exist for the Tigua as do official censuses from the Spanish colonial and Mexican periods. Also, there is the list of the signatures of those who accepted the 1895 Compact. These data demonstrate the continuous existence of Tigua Indians at Ysleta from the late seventeenth century until the present.

An aboriginal Pueblo form of government, supplemented to a limited degree by Spanish-imposed offices, survives today among the Ysleta Tigua. In bare essentials this government, and that of several other Pueblos, was built upon the authority of a small number of elected officials, included a village chief, an outside chief, and several lesser officials. The village chief was a respected elder member of the community who was elected to a lifetime position and whose realm of responsibility was concerned almost exclusively with the promotion of harmony and cooperation within the community and with the maintenance of a harmonous relationship between the community and the supernatural world. The outside chief was responsible for all interactions between community members and the outside world and for the protection of community members from evil spiritual forces originating in the inner as well as the outer world. The lesser officials carried out police and coordination activities at the direction of the chiefs.

In modern Ysleta the office of the village chief resides in the position of *cacique* and that of the outside chief in the position of war captain. Subordinate officials are governor, lieutenant governor, four captains, and sheriff. The four captains assist the war captain. The governor, lieutenant governor, and sheriff are apparently offices imposed by the Spaniards in colonial times bu now are well integrated into the tribal political organization, with the governor taking many of the aboriginal duties of the outside chief relative to secular affairs, particularly those involving contacts with the Spanish and successor national governments.

Evidence of the persistence of tribal political authority over members is found in repeated reference to tribal officials, most often the governor, in Spanish, Mexican, and American documents. The authority of tribal officials and their responsibilities are clearly described in the "1895 Compact" which is still in effect.

Recognition by National Governments

The Tigua of Ysleta del Sur Pueblo have been identified as Indians repeatedly by national governments from the time of earliest recorded contact until the present. The governments controlling the terrain on which the Tigua lived were the Spanish (from 1598 until 1821), the Mexican (from 1821 until 1848), and the United States (from 1848 until the present)(Brayer 1939:31) . Although the Republic of Texas claimed all land east of the Rio Grande, the Rio Grande flowed east of Ysleta del Sur Pueblo, or on both sides of the Pueblo, until shortly before 1850. In that year, by which time it had been established that the main channel of the River flowed east of Ysleta, Socorro, and San Elizario, the dispute between the territory of New Mexico and the state of Texas over the jurisdiction of the Trans-Pecos region of Texas was settled by the Organic Act of 9 September 1850 (Appendix to Congressional Globe, 31st Congress, 1st Sess., p. 1447).

The Tigua of Isleta, New Mexico, are identified in a number of Spanish governmental and church documents beginning in 1612 when Fray Juan de Salas was assigned to begin the missionization of that Pueblo (Espinosa 1940:135-142). Some of the civil documents, sufficient to demonstrate that the Tigua of Ysleta del Sur were recognized by the Spanish government, will be cited in the following paragraphs.

An unknown number of Tigua encompassing some 24 families were included among the 317 Indians from Isleta, New Mexico, and the Piro towns, who accompanied the Spaniards to the El Paso del Norte area in 1680. All of New Mexico above El Paso was abandoned by Europeans at that time as a result of a general revolt among the Pueblo Indians (Hackett and Shelby 1942:I:157). An attempted reconquest of New Mexico over the winter of 1681-82 resulted in the capture of Isleta and the transfer of 305 additional Tigua to the El Paso del Norte area where they were settled in the vicinity of the present Ysleta del Sur Pueblo (Hughes 1914:320; Walz 1951:67-68). In 1692, shortly before he successfully reconquered New Mexico, Governor Diego DeVargas was called upon to settle a dispute between the Tigua Indians of Ysleta and the Piro Indians of Socorro over the boundary line between the adjacent communities (Walz 1951:305-6, 318).

An important class of Spanish government documents of the eighteenth century and later in which the Tigua of Ysleta are listed as Indians is census records. Up through the early nineteenth century it is common to find Indians listed separately from Spaniards, mestizos, and other casts on both censuses in which individual heads of households are listed by name and on those in which only numbers of families or of individuals are listed. Since the names of individuals classed as "Indian" are occasionally listed among the non-Indians, it is probable that the "Indians of the Pueblo" resided in an area spatially distinct from the non-Indians at Ysleta del Sur (e.g., Census of 1784, Appendix A). The local official responsible for amassing the census records, usually the lieutenant governor of New Mexico, often assigned the duty of compiling such data to the missionary in charge of the church in Ysleta. This may have been the result of the official's inability to communicate in the Indian language or the Indians' reluctance to provide the needed information. For example, Nicolas Soler was the official responsible for compiling the census of 1781 but he apparently was forced to call upon Father Damian Martinez for assistance. At the end of the census the good father noted, "with my intervention," above his signature (Juarez Archive MF 513, pt.2, roll 12, frame 142).

The number of Indian families and/or individuals residing in Ysleta del Sur Pueblo for specified years of the eighteenth, nineteenth, and twentieth centuries, tabulated from various governmental, church, and anthropological sources is indicated in Table 1.

Table 1

Numbers of Indians Recorded for Various Years
in the Ysleta del Sur Pueblo

	Indians		
Year	Families	Individuals	References
1744	70	498	Thomas 1932:110.
1760	80	420	Adams 1954:38.
1776	--	199	Thomas 1932a:209.
1781	74	190	Juarez Archive MF 513, pt.2, r.12, fr.77-142.
1784	71	219	Juarez Archive MF 513, pt.2, r.11, fr.275-345.
1790	56	---	Juarez Archive MF 475, r.47, fr.216.
1825	55	226	El Paso Co.Deed Records, Book B:24.
1860	--	196	El Paso County U.S.Bureau of Census
1870	--	136	" "
1880	--	200	" "
1883	40	---	Lange and Riley 1970:164.
1966	--	166	Houser 1966.
1971	--	348	Houser 1979:341.
1985	--	1124	Tigua Tribal Roll, 1985.

During the Mexican period there is considerable evidence that the Indian community of Ysleta continued to interact with the Chihuahuan state and Mexican federal governments. For example, the records of a boundary agreement dated 13 February 1829 between Ysleta and Senecu notes that the Indians of Ysleta had complained that in the settlement of an earlier boundary dispute they had not been consulted by the officials involved (El Paso Co. Deed Records, Book D:392).

Late in February of 1835 the president of the El Paso del Norte military district ordered 15 militia men and 30 natives (i.e., Indians) from Ysleta to take rations for 25 days and reconnoiter the banks of the Rio Grande downstream for evidence of Apaches (Campbell 1950). A few months later the governor of the Tigua, *Governadorcillo* Ygnacio Duran, petitioned the commander of the local military district through the chief political officer (the *alcalde*) of Ysleta for relief from his order of 22 June that "immediately upon receiving the proclamation all tobacco plants be pulled up and burned publicly." *Governadorcillo* Duran asked that the poor Indians be permitted to grow "a little" tobacco for use on scouting expeditions only (Campbell 1950:60-61). We are not told how the government official responded.

In July of 1835 the *Alcalde* of Ysleta placed before the president of the local district information to be presented to the governor of Chihuahua in which it was noted that the citizens of Ysleta occupy land that was originally granted to the Indian community but that since that time non-Indians had gained the use of some of the land and even sold it although they could not have titles. Furthermore, contrary to appearances the Indians averred that there was no excess land in the grant because the river was constantly changing its course, washing fields away in some areas, depositing new fields in other areas, and rendering still other fields untillable by cutting them off from the irrigation canals. It was requested that Chihuahuan state officials prohibit the non-Indians from selling the "surplus" land to outsiders (Campbell 1950:65-67).

United States governmental officials have, from the earliest contacts, identified the Tigua of Ysleta del Sur Pueblo as Indians. Lieutenant of Engineers W.H.C. Whiting described the people of Ysleta for his superior, General J.C. Totten, Chief of the U.S. Corps of Engineers in 1849:

> The Indians, of greater heart than their masters, meet the Apaches with their own weapons and keep themselves inviolate. Still holding to their own dialect and to many old customs, and but half Christianized, they worship a rude mixture of Catholic and Pagan rites. Their numbers are fast dwindling away and but a few years will pass before the last altar fires of their race will be extinguished (Senate Exec.Doc.1849-50:289).

James S. Calhoun, the first United States Indian agent for the territory of New Mexico, wrote in 1849: "The Pueblo or civilized towns of Indians of the territory of New Mexico are the following: "...opposite El Paso [del Norte, Chihuahua, Mexico]. Socorro-Ysleta 600 [persons]." Referring to a map of upper New Mexico on which Indian Pueblos were marked, Calhoun made the following notation: "...it may be well to remember that there are two Indian Pueblos below El Paso, Ysleta and Socorro..." And again, in a review of his recommended budget for the administration of the Indians of New Mexico, Agent Calhoun suggested an allocation of $1,725.00 for each Pueblo, including Ysleta del Sur and Socorro. He also recommended that the Pueblos be administered under several districts, including a sixth district "below El Paso, Socorro...Ysleta" (Abel 1915:40-45, 176-177).

On 25 August 1854, Mr. John Wilson, Commissioner of the General Land Office of the United States, wrote to Mr. William Pelham, United States Surveyor General of New Mexico, to instruct him to prepare a map showing the location of the several Pueblos in New Mexico and specifically calling his attention to the Pueblos of Ysleta and Socorro in what is now El Paso County, Texas. Mr. Pelham was informed that

> it is obligatory on the government of the United States to deal with private land titles and the 'pueblos' precisely as Mexico would have done had the sovereignty not changed. We are bound to recognize all titles as she would have done, to go that far and no farther. This is the principle which you will bear in mind acting upon these important concerns (Senate Executive Documents, 42nd Congress, 1st Session, Misc. Document #12).

Specific attention was directed to the Pueblos by name, and including those "opposite El Paso [del Norte, Chihuahua]. Socro [*sic* Socorro], Isletta, 600 inhabitants" (Executive Documents, 42nd Congress, 1st Session, Misc. Document #12). This indicates that the United States government did not intend that the Indians of the Pueblo of Ysleta del Sur be treated differently than those occupying the other Pueblos in New Mexico.

Tigua warriors were frequently employed by the U.S. Army as scouts during the latter half of the nineteenth century. For example, on 28 June 1857, Company K from Fort Bliss, assisted by Tigua scouts, tracked and attacked a band of Apaches on the Gila

River (Sandstrum 1962). During the early 1880's, when some of the Apache made their last desperate attempts to escape controls imposed by the federal government, Tigua scouts again were employed by the U.S. Army troops stationed at Fort Davis, Texas (White 1924:152). In the last battle with the Apache in Texas, at Ojo Viejo, Simon Olguin, a Tigua leader, and four of his nephews were among those scouts who participated with Army troops. Olguin was killed (Annual Report of the Secretary of War for the year 1880, Vol.1:149; Gillett 1921:200-202).

Between 13 September 1894 and 27 July 1907, a number of Indian children from Ysleta del Sur Pueblo were required to attend the Bureau of Indian Affairs School at Albuquerque (Houser 1979:340; Raymond D. Apodaca, personal comunication, 13 October 1985).

More recently, on 12 April 1968, President Lyndon B. Johnson signed Public Law 90-287 in which the United States recognized that:

> the Indians now living in El Paso County, Texas who are descendants of the Tiwa Indians of the Ysleta (Isleta) del Sur Pueblo settling in Texas at Ysleta, Texas in 1682, shall, from and after the ratification of this Act, be known and designated as the Tiwa Indians of Ysleta, Texas (PL 90-287).

State Recognition of the Tigua as Indians

Evidence of recognition of the Tigua Indians by state governments has not been discussed at length during the Spanish colonial and Mexican periods because that recognition was ultimately transmitted by those national governments to the United States government by treaty (Brayer 1939:31). However, there is one document from the Mexican period that deserves special mention. This is the record, mentioned above, of the arbitration by Colonel Jose Maria Gonzales, Prefect of the District of El Paso del Norte, Chihuahua, Mexico, of a dispute between the adjacent Indian Pueblos of Ysleta and Senecu in 1841. The official was anxious to assist in settling this long-festering dispute between the two recognized Indian Pueblos and provided detailed description of the disputed boundary and of the resolution agreed upon by the Indian representatives of each Pueblo (Ysleta del Sur Pueblo Intervenor's Exhibit #46, before the Indian Claims Commission, Docket #22C). The sanctioning of the boundary as resolved by the representatives of Ysleta and Senecu Pueblos constitutes undeniable recognition of the Indian communities.

Although the Republic of Texas claimed all territory east of the Rio Grande during its nine years of existence (1836-1845), there is little indication that the authority of that government extended to the Ysleta del Sur area. Also, the main channel of the Rio Grande was in the process of shifting from the west to the east side of the settlements of Ysleta, Socorro, and San Elizario during that period so that there is reason to doubt that a decision could have been made as to the side of Ysleta on which the river flowed. Actually, the Pueblo was on an island for years (Bowden 1971:143).

The State of Texas has dealt with the Tigua as individual Indians and as a tribe. On at least two occasions in the 1850's, the Texas legislature enacted laws dealing with the "inhabitants of Ysleta." In the Relinquishment Act of 31 January 1854 and the related Act for the Relief of the Inhabitants of the Town of

Ysleta in the County of El Paso of 1 February 1854 the "inhabitants" of Ysleta del Sur were recognized directly as Indians. The latter act specifically recognized the 1751 Spanish land grant to the Tigua Indians of Ysleta del Sur that is attributed to Spanish Governor of New Mexico, Tomas Viles Cachupin (El Paso County Deed, Bk. A, p.32, Bk. 1, p.184; Gammel 1898:3:1027, 1094; 4:42, 53).

The Texas Rangers often employed Tigua Indians as scouts during the latter decades of the nineteenth century. Captain G.W. Baylor, who brought a company of Texas Rangers to Ysleta on 12 September 1879, remembered the names of several Tigua scouts when he told his story to the press in 1900. There were Bernardo Olguin, who had had much experience, Domingo Olguin, a son of Bernardo, and Aneseto Duran, who was a nephew of the Pueblo chief in 1880 (Baylor 1900). The Tigua were serving as Indian scouts with the Texas Rangers, when they, in turn, assisted Mexican forces in a battle against Apaches at Canyon del Merrano in the San Bentano Mountains of Mexico in early October, 1879. The following November the Tigua again participated as scouts for the Rangers when the Apache leader Victorio swept through west Texas and into Mexico (Gillett 1921:137-159; White 1924:150).

Bernardo Olguin, Domingo Olguin, and Aneceto Duran were still scouting for the Texas Rangers on January, 16, 1881, when Apache were trailed from Quitman Canyon north into New Mexico and again on January 29, when a number of Apache were surprised and killed near the Sierra Diablos. A description of post-battle Tigua practices, by a Ranger who participated in the episode mentioned above, suggests aboriginal Pueblo practices relating to ritual purification of those who have been associated with dangerous enemy spirits:

> On their return from the battle of the Diablos, the Pueblo Scouts suddenly halted about a mile from Ysleta, unsaddled and unbridled their tired little ponies and went into camp. This was their custom after a successful campaign against their enemies, the Apaches, so the tribe might come out and do honor to the returning heroes. For three days and nights, a feast and a scalp dance was held by the whole of the Pueblo tribe at Ysleta. They feasted, wined, and dined the warriors and rangers. This celebration was the last scalp dance the Pueblo Indians ever had for the destruction of the Apaches in the Diablos brought their depredations to an end (Gillett 1921:204-210).

This last scalp dance was remembered by Margarita Pedraza Carbajal who was ten years old at the time. She retold the story on 22 February 1969, her 99th birthday, with a description of dancing with the scalps that hung in an old pear tree along with a bear skin that one of the warriors had brought back (Diamond 1974:178).

The state of Texas recognized the Tigua of Ysleta del Sur Pueblo as an Indian tribe when, on 23 May 1967, the legislature enacted House Bill 654 (H.B. 654, Ch. 276; see also H.B. 888, Ch. 277; Vernon's Ann. Civ. Stat. Act.5422-1).

Church Recognition of the Tigua

Church records of the Tigua Indians are voluminous from the post-1680 Pueblo of Ysleta del Sur. Because of the quantity, only a selection of that evidence will be reviewed here.

Franciscan Father Nicolas Lopez claims to have reorganized the communities of the Paso del Norte area in 1685, including the populations of the villages of "Sacramento de Indios Tiguas" and that of the "old" settlement of Ysleta which he says was then inhabited by Spaniards rather than Tigua (Walz 1951:121). It is apparent that Father Lopez' reorganization did not persist because a few years later we find the Tigua in the renamed or relocated mission village of Corpus Christi de los Tiguas de Isleta (Walz 1951:304). On 7 January 1706, Fray Juan Alvarez reported that in the El Paso del Norte jurisdiction of the Franciscan order there was "the mission of San Antonio de la Isleta, composed of Indians of the Tiguas nation who left this kingdom [of New Mexico] in 1680" (Hackett 1937:377). The Tigua have retained to this day their old patron saint, San Antonio, from New Mexico but the church of Ysleta del Sur was dedicated to Corpus Christi, hence the apparent confusion of mission names.

The role of the Tigua in the activities of the mission is illustrated by a description of the village and mission in 1754:

> Indians of this mission have their gardens adorned with beautiful grapevines, peach trees, apple trees, and good vegetables, and the garden of the convent imitates them in providing delight to the eyes and satisfaction to the taste. All the cultivation is due to the annual presence of a gardner provided by the sons (of the mission) who come to the convent every week with the boys needed for the daily cleaning of the cells; they also provide the other workers--a bell-ringer, porter, cook, two sacristans, and the Indian women needed to grind the wheat (Letter of Fray Manuel de San Juan Nepomuceno y Trigo, 23 July 1754, in Hackett 1937:461).

A short review of census data is provided by Fray Juan Agustin de Morfi in his "Geographical Description of New Mexico" of 1782:

> Isla Corpus Christi. This mission is placed at about one league from the Rio Grande and at three from El Paso east. It was settled with Tiguas Indians who fled from the kingdom in the year '680. In 1744 it had seventy families with four hundred and ninety-eight Indians and fifty-four Spanish persons; in 1765, eighty families with four hundred and twenty-nine [Indian] persons, and eighteen families of [Spanish] settlers with one hundred and thirty-one souls (Thomas 1932:110).

In 1795 Father Jose Bravo, responding to an order from Lieutenant Governor Francisco Xavier de Uranga for a report on his records and the status of the Ysleta mission, noted that among the Indians there had been during the past five years eleven marriages, 59 baptisms, 12 burials of adults, and 16 of children (Juarez Archive MF 475, r.48:193).

A few records of baptisms, marriages, and burials are available for Ysleta from the mid-19th century and later but ethnic group identifications are not given and the genealogical studies needed to trace individual lineages of Indians have not been carried out.

Tigua Recognition by Anthropologists, Historians, and Other Scholars

The Tigua of Ysleta del Sur have been identified as Indians by historians, anthropologists, and other scholars throughout the last 100 years. John G. Bourke, who made important ethnographic observations on the Indians of New Mexico, visited Ysleta del Sur in 1881:

> Bourke recognized the people of Isleta, Texas, as Tigua, speaking the same language as those at Isleta and Sandia, New Mexico. These people had no eagles, no *estufas*, and only three old men still wore their hair in queues. Women and girls wore Mexican clothes. Houses belonged to the women and they were found to have had "...the same rules of property and descent as among the other pueblos" (Bloom 1938:206-8, quoting Bourke 1881ms).

Bourke referred to the inheritance of property and lineal affiliation through females. Bourke continued to document his identification of the Indian qualities of the Tigua by describing a number of technological and social characteristics, many of which he regarded as being characteristics of the Pueblos:

> The houses are all of adobe, one story in height and opening both by windows and doors upon the ground floor, the use of ladders being entirely discarded...
>
> In the first house I entered a pile of blue corn lay upon the floor drying as in the other pueblos--a chimney extended across one side of the room and a metate of odd shape was constructed close to the fire place. I saw a shield, bows and arrows, guns, a bundle of eagle feathers and a pair of wooden spurs hanging to rafters...(Bloom 1938:205).
>
> Ten clans were still in existence--Corn, Eagle, Sun, Water, Turquoise, Bear, Turtle Dove, Rabbit, Watermelon, and Goose, and there had formerly been the Coyote and Culebra clans. The governor and chief were of the Sun clan and the lieutenant govenor was of the Corn clan (Bloom 1938:208).

The following year, Dr. H.F.C. ten Kate, Jr. was in the valley making observations and collecting artifacts. He confirmed that the Tigua people did speak the same language as those of the Pueblos of Isleta and Sandia, New Mexico. The governor was then Jose Maria Duran. Storage bins for the crops were made of a staging of logs with branches over them; some were observed in the forks of cottonwood trees. The end of the year celebration was in progress so Kate was able to see a line of 10-15 men and boys with rattles dancing before houses and the church. He collected some artifacts similar to those seen by Bourke, including a war cap (*emoh* in Tigua) decorated with feathers, a round shield (*gwijer*) of leather, and a big red drum (*pohjeth*) and drumstick (*lah*) (Kate 1885:12-16).

A year later, in 1883, Bandelier spent a few hours in Ysleta. He estimated that there were about 40 families of Indians and remarked that they still spoke their language but that it was dying out among the younger people. He noted that their pottery was exactly the same as that of the Piros, as were their drums (Lange and Riley 1970:164).

In October, 1901, J. Walter Fewkes, an anthropologist with the Bureau of American Ethnology, visited the El Paso del Norte area and published "...a few facts regarding the Tiwa of Ysleta..." (Fewkes 1902:59). His observations are quoted at length because they contain details indicating that large segments of the Pueblo lifeway were still intact at the beginning of the twentieth century.

> The Indian name of the village is Chiawipia (fn. or Chipiya), or practically the same as that of the pueblo of Isleta in New Mexico, a name which the Hopi also give to the latter village, in which, they say, are settled certain Tiwa whose ancestors once lived in their territory (Fewkes 1902:59).
>
> The site of the old pueblo adjoins this cemetery [in front of the Ysleta church], from which it is now separated by a street. The cacique remembers that formerly Indian houses were arranged on that site in rectangular form about a plaza, each building being a small one-story habitation made of upright logs chinked and plastered with adobe, forming a type of building called by the Mexicans *jacal*. There still remain a few houses of this kind in the neighboring hamlet of Socorro that are reputed to be among the oldest in the pueblo. Piarote, the present cacique of Ysleta, lives in an adobe house standing not far from what was once a corner of the former pueblo, and other houses in the neighborhood belong to Indians who likewise have dwellings and tracts of land scattered in all directions from the church (Fewkes 1902:61).
>
> One or two old Pueblo customs are still kept up by the Ysleta Tiwa. They know how to use the fire-drill and the fire-stick (*fukurisla*), and how to kindle fire with them, although they generally use flint-and-steel or matches. Of their weapons several bows and arrows were shown the author, and he has also seen rabbit-sticks, a lance, and a drum of aboriginal manufacture. One or two women know how to make paper-bread, which they call *pahnshave*, and to color it into various tints. They at times grind corn (*ae*) on metates which have an ancient appearance, and one of the old women said that this custom was common in her childhood. She added that while the women were thus at work over a mealing-stone the men sang, beating a drum or folded sheep-skin. A diligent search for aboriginal pottery in Ysleta was not successful; a few old pieces were found, but they were very rude and probably Mexican; nevertheless, all said that in former times the Tiwa women were good potters and made black ware like that

> of the Santa Clara Indians (Fewkes 1902:71-72).
>
> Many of the Tiwa have served in the army as scouts against the Apache, and among the names of some twenty men recorded by the writer several have discharge papers setting forth the value of their services; others were killed while in the service of the United States. None of the former receives a pension or rations. They have no resident agent or missionary, and, although poor, they are industrious, self-respecting, law-abiding citizens (Fewkes 1902:61).
>
> About twenty-five persons, whose names are appended, can conduct a conversation in the Tiwa language, and there are as many more who understand the idiom but cannot converse in it.
>
> *Men*: Jose Tolino Piarote, Tomal Graneo, Tebucio Olgin, Jose Maria Montoya, Ponciano Olgin, Patricio Perea, Manuel Ortega, Sebastiano Duran, Alvino Aquiar, Cristobal Aquiar, Pasqual Piarote, Maleno Marques, Robel Trujillo, Reyes Trujillo, Crencencio Marques.
>
> *Women*: Cornelia Colminero, Andrea Piarote, Estefana Montoya, Valentina Ortega, Augustina Olgin, Patricia Montoya, Nestora Piarote, Dolores Graneo, Andrea Marques, Juana Duran, Juana Graneo (Fewkes 1902:62).

In a description of social organization, Fewkes records two formal documents in which the officials of the community and their duties are listed and in which individual men, presumably the heads of households, voluntarily pledge to recognize the authority of those elected officials and to participate in the celebration of the patron saint's day. These documents will receive further attention below. Fewkes confirmed the observations by Bourke and Kate that the Tigua were matrilineal.

> There still remain in Ysleta survivals of the former clan system of the Tiwa, in which the descent was matriarchal [*sic*, matrilineal]. All have Spanish baptismal names, and a few have Tiwa names. They assert that when the latter were given them, an aboriginal rite in which water was used was performed. The Tiwa name of Piarote, *ekap-tusan* (Corntassel-*tusan*). Another man is called *Yen-tusan* (Mountain-*tusan*); and still another, *Thuwirpo-tusan* (Rainbow-*tusan*)[fn. The root *thur*, meaning sun occurs in *thusaina*, sunrise; *tathuakin*, sunset] (Fewkes 1902:70).

Fewkes continued with remarks about the Tigua language and folktales that he had heard.

> Language of the Ysletenos
>
> Ysleta affords a good opportunity for the collection of material for a knowledge of the Tiwa idiom; but such work must be done at once, as a speaking knowledge of this variant, if such it be, of the Tiwa, will probably not survive the present generation...Some of the southern Tiwa have visited Isleta, New Mexico, and claim, as one would expect, that the language of the two pueblos is practically identical, differing only in minor details. During his visit to Ysleta, the author recorded a considerable Tiwa vocabulary, which he hopes later to compare with the northern Tiwa. These words were obtained during several councils with the chiefs, which generally lasted late into the afternoon...At the close of these councils, the cacique, Piarote, repeated a long Tiwa formula, or prayer, with which other Indians were familiar. It would be interesting for one who seriously takes up the linguistics of the Ysletenos to transcribe this prayer as a specimen of their language (Fewkes 1902:70).
>
> The Ysleta Tiwa have several very suggestive folktales, to which the author can only refer at this time. He listened to several, but it was said that there were many more, all of which are well worth collecting. They retain traditions of the *Shipapu* or *Shipapunai*, the ancestral opening in the earth out of which the races of men originally emerged, and they declare it to be a lake in the far north (Fewkes 1902:71).

Fewkes describes several of the dances exhibiting aboriginal characteristics that were permitted only on certain saints' days as specified in the documents that were mentioned above and that will be discussed later in the section on tribal government.

> Dances
>
> The most interesting survivals of the old pagan ceremonies of the Tiwa of Ysleta are the dances which are performed in front of the church as the celebration of the festival of their patron, St Anthony, at Christmas, and on the days of St John, St Andrew, St Peter, and St James (Fewkes 1902:65).
>
> *Shiafura, the Rattle Dance*
>
> This dance, which occurs after mass in the festival of the patron saint, is one of the most important of their ceremonies. It consists of two parts [fn.named *shoposane* and *shiafura*]--the first with

two male and two female participants, the other with many men who carry rattles from which it takes its Tiwa name...

Newafura, the Mask Dance

The dance in which two men are masked is celebrated on Christmas afternoon and is sometimes called *Baile de Tortuga* from the turtle-shell rattle employed. A drum is used in this dance, and the men carry gourd-rattles in their hands...The two participants wear masks, and one of them represents a male, the other a female personage. The mask of the latter is made of buffalo-skin and is painted red and yellow. These men are called *abuelos* (Spanish, 'grandfathers,' 'ancestors'), and they function as clowns, frightening little children (Fewkes 1902:66).

Poafura, the Red Pigment Dance

This dance, which occurs on the festival of St John, was thus described to the author by the cacique: Twelve women, forming two lines, stand facing each other, and between them passes another, singing '*Ha-wi-na-a-e!*' In this festival, food and other stuffs are thrown to the spectators. One of the women wears two feathers in her hair. The dance lasts one day and is called the *Baile de la Flecha.* The same song, '*Ha-wi-na-a-e*, is sung in the Hopi harvest festival, when food and other objects are also thrown to spectators [fn. The Hopi, who call this harvest festival *Howinakwi*, undoubtedly derived it, as did the Zuni (who call it *Owinahe*) from Rio Grande colonists] (Fewkes 1902:66-67).

Kufura, the Scalp Dance

In this old war dance, which is no longer celebrated, both men and women formed a ring around one of their number--a woman who held aloft a scalp tied to a stick. A warrior danced beside her, and at the close of the dance ran to the river and plunged his head under water four times (Fewkes 1902:67).

Nakupura, the House Dance

While the author was at Ysleta, several secular dances were performed by the Indians in one or another of their houses. These dances were characteristically aboriginal and closely resembled those celebrated on festival days before the church. Permission for them is obtained from the governor, who, in fact, gave one of those witnessed by the author in his own house. The dance began about 9 oclock, but for some time before that hour a young man sat at the entrance to the house, violently beating a drum made of an earthen jar, and singing a song with monosyllabic words. Later this youth went inside, where he was joined by other singers, forming a chorus (Fewkes 1902:68).

Fewkes describes a foot race held on Palm Sunday which he says is similar to those held by the Tiwa of New Mexico. It is notable that the Ysleta race is held in order to bring rain while several of the races held at Isleta, New Mexico, are intended to assist the sun or are related to war/scalp ceremonies (Parsons 1932:283, 324-329). The ritualistic races at Isleta Pueblo, New Mexico, referenced above involve four rows of racers and the nonritual races involve two distinctively painted teams chosen on the basis of any of several different concept categories--moiety membership, west side-east side of the village, married--unmarried, etc. The latter type of race seems more nearly equivalent to that reported by Fewkes for Ysleta del Sur (Parsons 1932:329-330).

> Foot-Race (*Kivekwewehim*)
>
> The Ysletenos have a foot-race strictly comparable with that of their northern kindred. It occurs at midday, on Palm Sunday, and in it the contestants divide into two groups of about half a dozen men each, distinguished by facial painting. The course is from the house of the cacique, past the church, and along the main street. The cacique stands at the place of starting, holding a bow and arrow, and calls out three times. First he shouts, *'Ne-va!* when all get ready; the second signal is *'Ne-cho!'* when he draws the bow fitted with an arrow; the third signal is *'Pa-cho-win!* when he shoots the arrow in the direction of the course, and the runners start.
>
> In awarding the prizes, the cacique receives the first prize and the winners the second; but other participants are also rewarded. The object of the race, they say, is for rain, and the shooting of the arrow is a symbolic act to aid the runners as well as to indicate the course (Fewkes 1902:68-69).

Rabbit hunts are frequently held among the Pueblos on a variety of occasions. In Ysleta, New Mexico, the hunt associated with the autumn Pinitu Dance is more like the Ysleta del Sur hunt than is the hunt associated with the Dark Kachina dance. In the former case and in the hunt described below by Fewkes the war chief consults with the village chief before the hunt, he is in charge of the hunt, and in both villages a fire is built in the open before the hunt begins. None of these actions occur with the Dark Kachina hunt (Parsons 1932:324, 335-336).

> Rabbit-Hunt (*Shiaito*)
>
> Both the Tiwa of Ysleta and the Piros of Senecu still have rabbit-hunts in which aboriginal elements survive. The war-chief is leader of the hunts, but permission for them is always asked of the cacique or the governor. The hunters having assembled in the field, a fire is first built and a section of country surrounded by the huntsmen. The men, forming a ring, close in, shouting *'Hotcha-pe-we-a-newa!'* at the same time killing the rabbits with sticks and other weapons.
>
> When the hunters return home with their rabbits, the women rush out to meet them and to seize the game. If, as sometimes happens, two women grasp the same rabbit, the war-chief divides it between them. In old times, they say, the dead rabbit was sprinkled with sacred meal (*tluka*), which, however, is not now made or used in Ysleta (Fewkes 1902:69).

The Tigua of Ysleta del Sur Pueblo have been recognized by a number of other anthropologists, including Frederick Webb Hodge, the well known anthropologist-historian, who edited the first "Handbook of American Indians North of Mexico" (Hodges 1907:2:747) and the members of the Southwest Volumes Planning Committee, Alfonso Ortiz, William C. Sturtevant, Richard B. Woodbury, Edward P. Dozier, Fred Eggan, Kenneth Hale, Douglas W. Schwartz, and Gary Witherspoon, who were responsible for selecting the authors and topics for Volume 9: Southwest, of the *Handbook of North American Indians* which was published by the Smithsonian Institution (Ortiz 1979). Nicholas P. Houser wrote the article on the Tigua of Ysleta del Sur Pueblo for that volume (Houser 1979). Dr. Bernard Fontana, Arizona State Museum, has worked with the Tigua and directed Mr. Houser's study of that Pueblo (Pueblo de Ysleta del Sur Intervenor's Exhibit 37, Indian Claims Commission Docket 22-C).

Tigua Identified as Indians in Popular Books and by the Press

The Tigua of Ysleta del Sur Pueblo have been identified in popular publications as Indians from as early as 1867 and continuing to the present. *The Texas Almanac*, published in 1867 by the Galveston News, contains an entry by A.M. Jackson of Austin that reads, "...Isleta is a town belonging to and occupied (for the most part) by the semi-civilized tribe of Indians known as Pueblos." James B. Gillett, in an adventurous book about his life with the Texas Rangers, noted that in 1880, "The tribe of Pueblo Indians has lived in the old town of Ysleta, El Paso County, Texas, for more than three hundred years" (Gillett 1921:200). His description of Tigua customs have been presented above. Another participant in the Indian wars, Colonel George Wyeth Baylor, also of the Texas Rangers, related a story that was published in the El Paso Herald on 10 August 1900 in which the Tigua Indian scouts figured prominently. In the 1950's a local historian published a pamphlet in which some of the Indian history is detailed (Calleros 1951).

A great number of news and feature articles have appeared in El Paso newspapers dealing with the election of tribal officers, Indian dances, religious celebrations, etc. The date and subject matter of a number of these articles follow:

--12 Dec.1890. Article on Tigua tribe, officers, dances, etc. (El Paso Herald).

--30 Sept.1899. Ysleta Indians exhibited at Dallas fair (El Paso Herald).

--8 Jan.1900. Ysleta Pueblo Indians celebrated Feast of Kings on Saturday (El Paso Herald, p. 7).

--5 Nov.1901. J.W. Fewkes, U.S. government archaeologist and ethnologist, in El Paso studying Ysleta Indians (El Paso Herald).

--11 Jan.1904. Three Ysleta Indians are over 100 years old and Jose Piarote was 116 years old (El Paso Herald).

--14 June. 1909. Ysleta Indians celebrate St. Anthony's day (El Paso Herald, p. 5).

--20 Oct.1909. Ysleta Indians prepare for Winter Festival (El Paso Herald, p. 5).

--28 Dec.1910. Ysleta Indians have begun their dancing which will continue after New Years (El Paso Herald).

--22 Dec.1911. Indians have Christmas Dance at Ysleta, Texas (El Paso Herald).

--9 Jan.1912. Indians give man cold bath in river, Ysleta, Texas. Indians celebrated Kings day by having one member of the tribe baptized in the river in atonement for their sins (El Paso Herald).

--27 Jun.1912. Ysleta Indians had the biggest dance of the season in the Indian village Monday night. Girls wore multi-colored ribbons and the men carried gourds and feathers (El Paso Herald).

--10 Nov. 1913. Ysleta Indians fight at Dance, two shot (El Paso Herald).

--16 May 1918. Ascencion Night. Church adorned with lighted candles according to native custom (El Paso Herald, p. 9).

--29 July 1934. Ysleta Indians permitted to vote without poll tax (El Paso Times).

--24 Aug.1935. Italian priests sent to Ysleta in 1890 were liked by the indians (El Paso Herald, p. 1).

--31 Aug. 1935. Bed of salt influences location of Ysleta. Built by Tigua Indians in 1681 (El Paso Herald Post).

--6 June 1936. Ysleta Indians make FDR honorary chief (El Paso Herald Post).

--10 June 1936. Cleofas Calleros initiated into Tigua tribe as honorary member (El Paso Herald Post).

--15 July 1936. N.M. Indians will dance at Ysleta Centennial Fete. Will be guests of the Tigua Indians (El Paso Herald Post, p. 1).

--23 Sept.1938. Ysleta Indians must pay tax if they vote (El Paso Herald Post).

--15 June 1941. Tigua tribesmen at Ysleta prepare to name new chief (El Paso Herald Post).

--17 June 1941. Tiguas of Ysleta to elect chief (El Paso Time).

--21 July 1941. Tigua Indians of Ysleta dance for patron saint (El Paso Herald Post).

--22 July 1941. Indians end Ysleta church celebration (El Paso Times, p. 12).

--12 Aug.1944. Colorful Tigua Indians live along banks of canal at Ysleta (El Paso Herald Post).

--14 June 1956. Tigua Indians stage 274th annual fiesta at Ysleta (El Paso Times).

--9 June 1961. Tigua to celebrate 279th anniversary at Ysleta Catholic Mission (El Paso Herald Post, p. 3).

--13 June 1961. Tiguas will observe saint's day Tuesday (El Paso Times).

--14 June 1961. Ancient Indian tradition revived Tuesday at the 281st annual fiesta honoring the patron saint of the Tigua Indians at Ysleta (El Paso Times).

--13 June 1962. Today is the festival day for the Tigua Indians of Ysleta (El Paso Herald Post).

--5 Jan 1966. Tigua Indians of Ysleta in danger of becoming extinct (El Paso Herald Post).

--5 May 1966. Tigua Indian tribe members learn three R's in Mission School Class (El Paso Herald Post, p. 9).

--9 June 1966. What factors keep Ysleta Indian tribe intact? Arizona anthropologist Nick Houser seeks answer (El Paso Herald Post, p. B1).

--28 Aug.1966. Freedom from poverty sought for Ysleta Indian tribe (El Paso Times).

--4 Oct.1966. Tigua say won't pay more taxes (El Paso Times).

--4 Oct.1966. Tigua Indians serve notice of refusal to pay tax (El Paso Herald Post).

--5 Oct.1966. Tigua Indians must show tribal hookup (El Paso Herald Post).

--7 Oct.1966. Clothing for Tiguas to arrive (El Paso Times).

--23 Nov.1966. Recognize Tiguas as Tribe--Texas State Historical Survey Committee (El Paso Times).

--23 Dec.1966. White Sands workers aid El Paso's Tiguas (El Paso Times).

--10 April 1967. Ysleta, N.M., Pueblo supports Ysleta, Texas, Tiguas in bid for Tribal recognition (El Paso Herald Post).

--13 April 1967. Tigua Indians sing for Texas legislators (El Paso Herald Post).

--4 May 1967. El Paso whoops on way to real Indian reservation after State senate passed_two bills (El Paso Herald Post, p. A1).

--6 June 1967. Tigua Indians show place set (El Paso Herald Post, p. A1).

--19 July 1967. Set Tigua hearing in El Paso by representatives of the Texas Commission on Indians Affairs (El Paso Times, p. B1).

--21 July 1967. Tigua tribe of Ysleta seen as major tourist attraction (El Paso Herald Post, p. A1).

--1 Aug.1967. House Indian Affairs Subcommittee approved a bill to designate the Tigua Indians of El Paso an official Indian tribe (El Paso Herald Post, p. A1).

--14 April 1968. LBJ signs Tigua tribe bill (El Paso Times, p. A10).

--15 April 1968. Texas has official responsibility over the Ysleta Indians (El Paso Herald Post, p. A1).

--21 March 1969. Tiguas seek to recover valley land (El Paso Times, p. A1).

These articles demonstrate a long enduring Indian-ness in the Ysleta Pueblo community. Moreover, the subject matter covered indicates that rituals, dances, and other behavior characteristic of recognized Indian groups in New Mexico and Arizona have been perpetuated throughout the present century despite the fact that during most of that time it has been disadvantageous to be identified as an Indian.

Tigua Indians Recognized by Other Pueblos

The Tigua of Ysleta del Sur Pueblo have been known continuously since 1680 by the Pueblo Indians of New Mexico as a result of personal contacts; however, records of such contacts are rarely encountered because few of the Indians were literate and records were not kept until recently. In his journal of 1881 and 1882, Bandelier wrote that in the opinion of his Cochiti informants, the Indians of Ysleta del Sur were skilled and therefore dangerous sorcerers (Lange and Riley 1966:228, 271). The Indians of Isleta, New Mexico, also told Bandelier that they knew of the people of Ysleta del Sur and that they were Tigua who spoke the same language as themselves; they knew that the Pueblo of Ysleta del Sur was named *Tshia-hiu-pa* as was Isleta, New Mexico (Lange and Riley 1966:277; see comparable data in Fewkes 1902:59, 70).

In 1967 the Tribal Council of the Pueblo of Isleta, New Mexico, recognized the Tigua of Ysleta del Sur as an Indian tribe (El Paso Herald-Post 10 April 1967), and again recently the same Tribal Council specified by its Resolution 84-054, dated 29 November 1984, that "the People of Ysleta del Sur Pueblo constitute a Pueblo by all definitions, by virtue of having maintained their historical, legal, cultural, and religious character and existence from 1680 to the present." Similarly, by their Resolution No. 31, dated 12 July 1985, the members of the Tribal Council of the Pueblo of Santa Clara recognized their "brothers who reside in El Paso, Texas, U.S.A." And finally, the All Indian Pueblo Council, by its 1985 Resolution #22, "reconized the Tigua Indians from Ysleta Del Sur Pueblo of El Paso, Texas, as direct descendants of Isleta Pueblo, New Mexico."

Ysleta Tigua Community History and Integrity

The ancestors of the Ysleta del Sur Tigua occupied the Albuquerque area of New Mexico when the Spanish explorers visited the area in 1540 and later. However, Isleta, New Mexico, is not specifically identified until the 1602 or later (Schroeder 1979:243). It is unlikely that Tigua from Isleta, New Mexico, arrived at Nuestra Senora de Guadalupe mission in the Paso del Norte area before the refugees from the Pueblo Revolt of 1680, for none are mentioned in the baptismal records of Nuestra Senora de Guadalupe before 2 March 1681 (McLaughlin 1962:65). Approximately 24 families are known to have accompanied the refugees in 1680. Their presence is indicated by the baptisism of several infants with Tigua parents or godparents before the return of the army of Governor Otermin's attempted reconquest in February of 1682 (McLaughlin 1962:65-72) as well as by the record of 30 Tigua warriors who accompanied Otermin's army (Hackett and Shelby 1942:II:201). Only 305 of the 385 Tigua who were captured by Otermin at Isleta, New Mexico, in 1682 were still with the Spaniards when a count was taken shortly before the returning army reached El Paso del Norte (Hughes 1914:320; Hackett and Shelby 1942:I:cc).

The exact location of the original camp or village occupied by these Tigua in the Paso del Norte area is unknown (Otermin 23 February 1682ms; McLaughlin 1962:73), but the regular practice of maintaining separate Spanish and Indian villages was specifically ordered for the new settlements established in 1682 (Hughes 1914:320-1). In the spring of 1684, several of the local settlements were moved from their downriver locations to positions closer to the old mission of Guadalupe for reasons of defense, and it was at that time, if not before, that the Tigua were settled in the Ysleta area. In these new locations the Spaniards and the Indians were settled again in separate locations, according to Fray Nicolas Lopez, the Franciscan in charge of all New Mexican missions at the time (Hughes 1914:322-3, 328, 366; Gerald 1974:26). There is no evidence to indicate that thereafter the Ysleta del Sur Pueblo was moved from the 1684 location which was adjacent to the Pueblos of Socorro and Senecu. In November, 1881, according to Lieutenant Bourke, some Tigua lived outside the Pueblo near the plaza in Socorro and others lived across the Rio Grande in Zaragossa, but the majority resided in Ysleta del Sur (Bourke 1881ms, in Bloom 1938:207). Today, 801 of the 1124 enrolled Tigua live in El Paso County, with the majority residing in housing on the Reservation or in other dwellings nearby (Ysleta del Sur Pueblo Tribal Roll 1985).

Individual Identifications

Spanish records throughout the eighteenth and nineteenth centuries refer to the Tigua, the Indians, or the natives of Ysleta and often individuals are named. In the earliest records, particularly those relating to baptism, marriage, and burial, Tigua or Piro names, or the native names of individuals from other tribal groups, are recorded as principals or as parents or godparents of the individuals in the associated rituals; baptized persons are always identified by their Christian name as well but very few of the Tigua had surnames. Patronymics would have been inappropriate to their social structure as descent was traced through females in the aboriginal Tigua tradition. Although clan names could have served that purpose, they were not utilized as matronymics. For this reason it is difficult to trace families through the incomplete records that are available.

Three lists of names of Indians of Ysleta del Sur do provide some patronymic evidence of genealogical continuity. These lists are those of Historic Ysleta del Sur Family Names, of the signers of the Compact of 1895, and of the census of 1784. The Historic Ysleta del Sur Family Names is a list of Ysleta Tigua whose surnames have documented antiquity in the Tribe (Table 2).

Table 2

Historic Ysleta del Sur Family Names

Tigua Names	Piro Names
Aquiar	+Alban
Cruz	+Allegro
Duran	Allejo
Colminero or Colmenero	+Delgado
Graneo or Granillo	Gonzales
Olguin or Holguin	Marques or Marquez
Ortega	Montolla or Montoya
Paz	Ortiz
+Perea	Paiz
Piarote	Pedraza
Telles	Rivera
+Trujillo	Rodella or Rodela

+ Name no longer in use as an Indian family surname. Some of these names may exist currently but are derived from the non-Indian side of the family (Ysleta del Sur tribal records, 1985).

The list of signers of the Compact of 1895, on which 45 legible names appear, all include patronymics (Table 3). There are 20 unique family names on the list of which only two are not represented by modern descendants on the tribal roll.

Table 3

Tigua Patronymics on the 1895 Compact

Dolores Alejo
Apolinario Aquiar
Cristobal Aquiar
Damasio Colmenero
Desiderio Colmenero
Mariano Colmenero
Felipe Cruz
Andres Duran
Cornelio Duran
Sebastian Duran
Porfirio Garcia
*Aniceto Gonzales
Felipe Gonzalez
Luis Gonzales
Onope Gonzalez
Vicente Gonzalez
Andres Granillo
Aniceto Granillo
Bebian Granillo
*Faustino Granillo
Tomas Granillo
Venceslao Granillo
Zenobio Granillo
Elano Marques
Encarnacion Marques
Crescencio Marquez
Magdaleno Marquez
*Nemesio Marquez
Eugenio Molina
Santos Montolla
*Donaciano Olguin
Ponciano Olguin
Manuel Ortega
Manuel Paiz
Vicente Paiz
Andrez Paz
PotricM? Perea
Tiburcio Perea
Toribio Pedraza
Victoriano Pedraza
George Piarote
Jose V. Piarote
Alejandro Rodela
Benigno Telles
Melchiades Trujillo

* These names plus one illegible appear to have been crossed out. (Ysleta del Sur Pueblo Intervenor's Exhibit #44, before the Indian Claims Commission, Dockett #22C)

The census of 1784 bears the names of 71 heads of households of which 20 have surnames, and of those 15 are unique (Table 4).

Table 4

Tiguas Patronymics on the 1784 Census

Pasqual Archuleta
Bartolo Baca
Assencio de la Cruz
Domingo de la Cruz
Sebastian Duran
Andres Frezquiz
Domingo Gomez
Rafael Gomez
Simon Lujan
Antonio Madrid
Antonio Marcos
Juan Montoya
Andres Perea
Martin Piarote
Diego Ramos
Domingo Ramos
Melchor de los Reyes
Pasqual de los Reyes
Antonia Romero
Francisco Tapia

(Juarez Archive MF 513, pt.2, r.11, frames 275-345)

The remaining 51 heads of households on this census are identified by a single Christian name or by two Christian names, e.g., Francisco or Juan Vicente. Modern Tigua remember being told of the old times when individuals often had only single Christian names and when children sometimes were given a Christian name at baptism plus the Christian name of their father

(Ray Ramirez, personal communications, 20 Sept. 1985). Six of the unique family names on the 1784 census--Cruz (or de la Cruz), Duran, Marcos (also spelled Marques or Marquez), Montoya (or Montolla), Perea, and Piarote--are historic Tigua or intermarried Piro names that are found on the tribal roll or as documented ancestors of those whose names appear on the tribal roll.

In other words, more than one-third of the patronymics employed by the Tigua of Ysleta del Sur Pueblo two hundred years ago and nine-tenths of those utilized almost one hundred years ago are still in use by the Tigua today or are known to be the names of their ancestors.

Tribal Authority Maintained

The Tigua of Ysleta del Sur are fortunate in having a written record that describes their traditional form of government by specifying the duties and responsibilities of their elected officials. This device, dated 6 January 1895, was signed by 45 men of the Pueblo, and subsequently notarized on 30 September 1895 with a certification of the signatures (Ysleta del Sur Pueblo Intervenor's Exhibit #44, before the Indian Claims Commission, Docket #22C). This record, referred to as the "1895 Compact," consists of two documents which were originally written in Spanish and were published in English translation by anthropologist J. Walter Fewkes in 1902 (Fewkes 1902:62-64). The first document consists of a commitment to abide by the customary laws of the Tribe as interpreted by the elected officials.

> *Pueblo of San Antonio de Ysleta, Texas, January 6, 1895*
> We, the undersigned, comprising natives, have assembled for the purpose of making the following regulations, and complying with those duties which our ancestors observed and which we wish to transmit to our children.

> We solemnly bind ourselves, in the first place, to celebrate in the best manner we are able, the festival of our patron, Saint Anthony.
>
> In the second place, we bind ourselves to respect the native authorities which we ourselves nominate and elect, and also to submit to such punishment as the same native authorities may impose, without complaint or appeal to any other authority regarding matters, personal or domestic, pertaining to us, without prejudice to the general laws of the remaining citizens.
>
> In the third place, we decree that every failure to respect our native authorities shall be punished, for the first offense, with twenty hours' arrest; leaving the punishment, however, to the prudence of the same native authorities, should the same person repeat his offense. That this regulation may have force and authority, all desirous of doing so have freely affixed their signatures (Fewkes 1902:63-4).

The Pueblo officials and their duties are described in the second document.

> *Duties of the Cacique*
>
> First Duty: Every year, on New Year's eve, the Cacique Major shall assemble all his people and advise the meeting to nominate native authorities to hold power for the forthcoming year. The same Cacique Major shall give the badges of office in the following order: To the Governor, Lieutenant-Governor, to the Alguacil, to the Capitan Major, to the four subordinate Capitans. Indeed all these officials are subject to the Cacique, as likewise all sons of the pueblo of San Antonio, according to the laws and conditions of the tribe. This dependence extends to the Cacique Major to look after his life and the maintenance of his family.
>
> *Duties of the Lieutenant-Cacique*
>
> The Lieutenant-Cacique shall exercise the same functions and act with the same powers as those above stipulated in case he occupy the position of the Cacique Major.
>
> *Duties of the Governor*
>
> This office, with the badge of his office in his hand as a symbol of administering justice, represents a Justice of the Peace in minor matters, such as civil offenses; he shall punish lack of respect to the sons of the pueblo of San Antonio, and shall give permission for customary dances which are lawfully permitted to the sons of the tribe.
>
> In addition, the Governor is requested to see that fathers of families comply with the sacred duty of teaching the Christian doctrine to their sons, and of celebrating annually the festival of our patron, San

> Antonio. Lastly, the Governor shall see to it that the sons of the tribe perform, in such manner as may be possible, the marriages and funerals of the natives.
>
> In conformity with the third clause the Governor has not authority to impose punishment exceeding three days in prison.
>
> *Lieutenant-Governor*
>
> The Lieutenant-Governor is clothed with the same power as the Governor when the duties of the Governor devolve on him.
>
> *Duties of the Capitan Major and the Subordinate Capitans*
>
> To direct the dances in the public plaza and to preserve order during the dance; also to well regulate everything pertaining to hunts of deer, rabbits, and hares, but always after consultation with, and notification of such diversions to, the Cacique Major, who shall never permit them on Sundays or on those days when they are obliged to hear the holy mass as in the Christian faith universal.
>
> Regarding the dances, it is recognized that they are permitted on the following days only: Christmas, St Anthony's, St John's, St Peter's, St James', St Ann's, and St Andrew's (if the day does not fall at the time of the hunt).
>
> Lastly, it is the duty of the Captain Major, aided by his subordinates, to remove from the pueblo of San Antonio every kind of witchcraft and belief contrary to our Holy Catholic Apostolic and Roman religion. No son of the Pueblo of San Antonio is obliged to accept, for example, if so commanded, any sorcery or false belief. It is the duty of all who follow the regulations of the sons of the Pueblo of San Antonio to sign this enactment. On the other hand, those who do not wish to sign it, by the same wish do not regard themselves as sons of San Antonio (Fewkes 1902:63-4).

The names of the 45 Tigua (5 of which appear to have been crossed out) who signed this document are listed in Table 3.

The offices that were recognized by the Tigua at the time of Fewkes' visit consisted of the village chief or *Cacique*, the Governor, the Lieutenant Governor, the War Captain, and the Subordinate Captains. The Tigua names for the office of *Cacique*, Governor, and War Captain are given below as are the incumbents in 1901 (Table 5). These are the same offices found in many of the other Pueblos in New Mexico as is stated in the appended description of tribal government by Raymond D. Apodaca (Appendix B; Ortiz 1979). One additional official, the Sheriff or *Alguacil*, is also installed today and probably was in Fewkes' day also (Gerald 1974:56).

The cane symbols of office, that were in use at the time of Fewkes' visit and that continue to be used at the present time, are identical to the canes distributed by the Spanish government and used in other Pueblos in New Mexico. The latter Pueblos also were given the so-called "Lincoln cane," symbols of office that were distributed by President Lincoln in 1863 or 1864. The Pueblos in the New Mexico territory which was then under Union control, received Lincoln canes, while the Texas Pueblos of Ysleta and Socorro did not, as Texas was a member of the Confederacy (Ellis 1979:362; Arnon and Hill 1979:301; Hoebel 1979:415).

Table 5

Ysleta del Sur Pueblo Governmental Offices and Office-Holders in 1901

Title	Native Title	Spanish Name
Cacique,	*Aikamede*,	Jose Tolino Piarote.
Governor,	*Tuwatabode*,	Mariano Manero.*
Lieutenant-Governor,		Felipe Cruz,
War Captain,	*Nilawekamede*,	Tomal Graneo,*
Subordinate Captains:		Blas Cominero,* Blas Graneo, Cristobal Aquiar, Aniseto Graneo (Fewkes 1902:64).

* These names should be, respectively, Mariano Colmenero, Tomas Graneo or Granillo, and Blas Colmenero.

Insignia of Office

> Each of the chief officials above mentioned has a baton, or staff of office, known as a *kikawee*, which is held in such high esteem that the cacique spoke of his as 'mother,'...These badges, as referred to in the documents setting forth the duties of the officers, are insignia of rank and are used as symbols in elections, dances, and races (Fewkes 1902:65).

The modern government of Ysleta del Sur Pueblo is essentially the same as that described above, except that the office of Lieutenant *Cacique* is no longer active and an incumbent was not listed by Fewkes (Table 5, see Appendix B).

The Tigua of Ysleta del Sur Pueblo have maintained their tribal form of government from the earliest period for which there are written documents, as is demonstrated by occasional references to tribal officials in early documents. For example, at the muster called at Ancon de Fray Garcia on 1-10 November 1681 by Governor Otermin to record his reconquest efforts, there were 30 Christian Indian warriors of the Tigua nation under the authority of Bartolo Pique, Ysleta war chief (Hackett and Shelby 1942:II:201). This indicates that even the small segment of the Tribe residing in the El Paso del Norte area at that time had its own tribal officials.

The Tigua governor of Ysleta on 14 March 1684 was Francisco Tilagua and the lieutenant governor was Juan de Ortega (Hughes 1914:338). During the period July 1684 to February 1685, Juan Moro was governor and two captains during the former month, at least, were named *Umpiquire* and *Pesoni* (Hughes 1914:350; Walz 1951:179-80). A century later, in the census of 1784, Miguel Francisco was listed as governor of the Pueblo (Juarez Archives MF 513, pt.2, r.12, frames 77-142). Juan Severiano Gonzales was lieutenant governor of Ysleta at the time of Bourke's visit on 11 Nov. 1881. (Bloom 1938:206). Jose Maria Duran was governor of the Tigua when Kate visited Ysleta on 27-30 December 1882 (Kate 1885:12-16).

Manuel Ortega was *cacique* of the Ysleta Tigua in the second quarter of the twentieth century and is remembered as offering daily prayers just before sunrise on a hill known as Loma de la Virgen at the edge of town (Personal communications, Miguel Pedraza, 2 Sept. 1970; Alton Griffin, deposition, 12 Oct. 1970). The *caciques* of the Ysleta Tigua that were remembered by Ramona Paiz, were Mariano Colmenero, Damacio Colmenero, Sebastian Duran, Aniseto Granillo, Tomas Granillo, and Jose Granillo (Ramona Paiz, deposition, 23 April 1970). Mariano Colmenero died at age 90 on 12 May 1926 according to his probated will in land title records. Damacio Colmenero was cacique at the time of the Texas Centennial Celebration in June 1936 (Calleros 1951:41), and Jose Granillo was cacique until his death in 1981. The last seven caciques and the year of their installation has been reconstructed by the family of the present governor, Manuel Silvas (Table 6).

Table 6

Caciques of Ysleta del Sur Pueblo

Name	Year of Installation
Mariano Colmenero	1910
Manuel Ortega	1925
Damasio Colmenero	1933
Anicito Granillo	1945
Tomas Granillo	1950
Jose Granillo	1967
Trinidad Granillo	1982

(Manuel Silvas, personal communications, 11 October 1985)

Tribal offices are listed and a brief description of the installation ceremony as of 1951 is given by Calleros (1951:54-55).

Ysleta del Sur Pueblo Tribal Roll

A discussion of the mode of determining elgibility for tribal membership together with the number of tribal members having different quanta of Tigua blood is given in Appendix C. Members of the Ysleta del Sur Pueblo Tribe are presented on the List of Ysleta del Sur Pueblo Tribal Members along with a Certficate of Tribal Membership (Appendix D). Each name on the list has met the minimal criterium of at least one-eighth Tigua and has been certified and registered with the Texas Indian Commission. There are 1124 enrolled members of whom 801 reside in El Paso County, Texas, and are considered resident members.

Summary

The Tigua Indians of Ysleta del Sur Pueblo originally inhabited the vicinity of Albuquerque, New Mexico, but they have resided in the El Paso del Norte area since the 1680s in what is now Texas. They have maintained their ethnic identification and basic political system throughout that three hundred year period, although this has placed tham at a definite disadvantage during most of that interval.

The status of the Tigua inhabitants of Ysleta del Sur Pueblo as Indians has been acknowledged by the three national governments that have exerted active control over the area, and all three have accepted the wardship of this native American group to some degree. The Spanish authorities, as the first European form of government to gain control over the Tigua, recognized the Indians in innumerable ways from settling boundary disputes between adjacent Indian villages to maintaining censuses in which "Indians of the Pueblo" were routinely listed separately from the citizens of Spanish, mestizo, or other ethnic or racial heritage. During the period of Mexican control boundary disputes continued to demand the recognition of Ysleta del Sur Pueblo by governmental officials and to draw them into the role of arbitrator between the Ysleta and other Indian Pueblos or non-Indian group. During this period, local militias were often made responsible for their own protection from raiding Apaches, and, although the Tiguas were not listed officially as "militia," none-the-less, they were ordered by Mexican officials to contribute major manpower components to the scouting parties.

With the Treaty of Guadalupe Hidalgo the government of the United States replaced the Mexican government and continued the recognition of the natives at Ysleta del Sur Pueblo as Indians. Some of the first United States Army officers to enter the area, in 1849, for example, commented on the Pueblo Indians of Ysleta del Sur. In that same year the first United States Indian agent for the territory of New Mexico catalogued among his charges the Pueblos of "Socorro-Ysleta" which he identified as located across the Rio Grande from El Paso del Norte, Chihuahua, Mexico, there being no notable settlement in the El Paso, Texas, area at the time. The Commissioner of the General Land Office of the United States of America instructed the Surveyor General of New Mexico to "deal with private land titles and the 'pueblos' precisely as Mexico would have done had the sovereignty not changed" and his attention was directed specifically to the southern Pueblos of Ysleta and Socorro.

Federal recognition of the Tigua is seen throughout the period of the Apache Indian wars when the United States Army employed men from the Pueblo of Ysleta as Indian scouts because of the long experience the warriors had had in dealing with the Apache. Other evidence of Federal acceptance of the Tigua as Indians is found in the records of the Albuquerque Indian School between 1894 and 1907 when a number of Indian children from Ysleta del Sur were sent to that school which was operated by the United States Bureau of Indian Affairs. These Federal government-Indian interactions culminated in 1968 in their formal recognition by the government of the United States of America:

> the Indians who are now living in El Paso County, Texas who are descendants of the Tiwa Indians of the Ysleta (Isleta) del Sur Pueblo settling in Texas at Ysleta, Texas in 1682, shall, from and after the ratification of this Act, be known and designated as the Tiwa Indians of Ysleta, Texas (PL 90-287, 12 April 1968).

In addition to these interactions between the federal government and the Tigua of Ysleta del Sur Pueblo, the state of Texas has dealt with the Tigua as individual Indians and as a group. On several occasions in the 1850s the State of Texas interacted with the "inhabitants of Ysleta"--in the Relinquishment Act of 31 January 1854, for example, and in the Act for the Relief of the Inhabitants of the Town of Ysleta in the County of El Paso on 1 February 1854. This involved the direct recognition of the "inhabitants" of Ysleta del Sur as Indians because it specifically admits the 1751 Spanish grant to the Tigua Indians of Ysleta del Sur attributed to Governor Tomas Viles Cachupin of New Mexico. Also, during the last few years in which Apache raiders passed through the Trans-Pecos area, individual Tigua were employed by the Texas Rangers as Indian scouts.

Representatives of the Franciscan Order of the Catholic church are among the first Europeans to contact the ancestors of the Ysleta Tigua when, early in the seventeenth century, they established a mission church for the Isleta, New Mexico, Pueblo. That relationship continued after the withdrawal of the Spaniards and the Tigua to the El Paso del Norte area in 1680. A separate Pueblo was established for the Tigua at Ysleta del Sur by 1685, if not earlier, and that community has persisted in the same area and in the same geographical relationship with other recorded Pueblos until the present time. The Indians of the Pueblo provided services for the local Franciscan priest in return for his administering to their spiritual needs as is reflected in the descriptions found in the frequent inspections of the El Paso del Norte missions that were made under the auspices of various church officials.

During the latter decades of the last century a number of educated visitors to Ysleta del Sur Pueblo provided descriptions, and often evaluations, of the Indian character of the resident Tigua. All concluded that Ysleta del Sur was indeed a village of Pueblo Indians. Anthropologist J. Walter Fewkes, of the Smithsonian Institution, spent some time at Ysleta in 1901 and recorded a number of ethnographic details which closely resemble data on similar subjects from Pueblo villages in New Mexico. From that time until the present numerous scholars, including several anthropologists currently associated with the Smithsonian Institution, and popular books and newspaper accounts have recognized the Tigua as Pueblo Indians and testify to the continuity of tribal activities and government at Ysleta del Sur Pueblo.

Several Pueblos in New Mexico seem to have continued from 1680 to retain information about the Tigua of Ysleta del Sur Pueblo, apparently largely as a result of sporadic personal contacts which have become more frequent during the twentieth century. Recently, two Pueblos councils individually and the All Indian Pueblo Council, a collective, recognized the Tigua of Ysleta del Sur Pueblo as bona fide Indians.

The Tigua of Ysleta del Sur have occupied the present area since 1685 or earlier and a majority of the 1124 enrolled tribal members are still found in residence in the same area. Ninety percent of the 20 unique family names found on the Compact of 1895 are still represented on the tribal roll and 40% of the 15 unique family names were on the census of "Indians of the Pueblo of Ysleta" a hundred years earlier, in 1784. Individual tribal members were identified in the earliest records by their Tigua or Spanish "given" names; surnames or patronymics were not used then or aboriginally. In the census of 1784 only 20 of the 71 names listed as heads of households had surnames while a hundred years later, in 1895, all 45 of the signers did. This, plus the other data presented above, constitutes strong evidence in support of the genealogical continuity of the Tigua of Ysleta del Sur Pueblo from the original migrants of 1680 and 1682.

In addition to the ethnographic data, mentioned above, that were collected by J. Walter Fewkes of the Smithsonian Institution, he also recorded and published two documents known together as the "Compact of 1895" in which the Tigua of Ysleta del Sur Pueblo recorded their traditional form of government by specifying the duties and responsibilities of their leaders and pledging to obey them. This Compact of 1895 is felt by the Tigua of Ysleta del Sur Pueblo still adequately to describe their form of government. There is no doubt that it provides evidence of a functioning tribal organization in 1901 that parallels in simplified form the governmental organization of several of the Pueblos of New Mexico. A series of references to tribal leaders in historical documents indicate that the tribal organization has functioned continuously since 1680.

It is my considered opinion that the Tigua Indians of Ysleta del Sur Pueblo constitute a functioning Indian group that has maintained its own form of government and political control of its members throughout the historic period and that it continues to function today.

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Appendix A

A PORTION OF A
GENERAL CENSUS OF THE PUEBLOS OF THIS JURISDICTION OF EL PASO, MADE BY LIEUTENANT GOVERNOR DON EUGENIO FERNANDEZ IN 1784

Pueblo of San Antonio de Isleta

1. Don Josef Maria Duran, Spanish, married, his profession, Lieutenant [D??] of the pueblo, his family, 3 sons over 14 years of age, another younger, 2 daughters over 14 years of age and 4 younger.

There follow 34 Spanish, Mestizo, and Indian families; the Indians are listed below.

Household Head/Occupation	Adults		Children		Total
	Male	Female	Male	Female	
Indian families listed among Spaniards and Mestizos					
9. Juan Dionisio/farmer	1	1	-	-	2
11. Juan Montoya/farmer	1	1	1	1	4
16. Simon Lujan/farmer	2	2	3	1	8
21. Antonia Romero/widow	-	1	-	-	1
22. Pasqual Archuleta/farmer	2	1	1	1	5
32. Andres Frezquiz/farmer	1	-	-	-	1
34. Antonio Madrid/farmer	1	1	-	1	3
Indians of the Pueblo					
36. Juan Patricio/farmer	1	1	-	1	3
37. Juan Nicolas/farmer	2	1	-	3	6
38. Tomas/farmer	1	1	-	1	3
39. Juan Mareo/farmer	1	2	-	1	4
40. Andres Perea/farmer	1	-	-	1	2
41. Rafael Gomez/farmer	2	2	-	1	5
42. Martin Piarote/farmer	1	1	2	1	5
43. Atencio/farmer	1	-	-	-	1
44. Diego Fermin?/farmer	1	-	-	-	1
45. Juan Luiz/carpenter	1	1	1	2	5
46. Diego Ramos/farmer	2	1	-	2	5
47. Francisco/farmer	1	1	-	-	2
48. Domingo Ramos/carpenter	1	1	-	-	2
49. Antonio Marcos/farmer	1	1	2?	2?	6
50. Prudencio/farmer	1	-	-	-	1
51. Catarina/widow	-	1	-	1	2
52. Dominga/widow	-	1	1	1	3
53. Clemente/farmer	1	1	-	-	2
54. George/farmer	1	1	-	1	3
55. Tomasa/widow	1	1	-	-	2
56. Assencio de la Cruz/farmer	2	-	-	-	2
57. Marcos Laurencio/?	1	1	-	1	3
58. Longinos/farmer	1	-	1	1	3
59. Pasqual de los Reyes/farme	1	1	-	-	2
60. Francisco Xavier/farmer	1	1	1?	1?	4
61. Juan Vizente/farmer	1	1	1	-	3
62. Maria Josefa/widow	-	1	1	1	3

63. Melchor de los Reyes/farmer	4	1	-	3	8
64. Bartolo Baca/farmer	2	1	2	1	6
65. Francisco/farmer	1	1	1	2	5
66. Francisco Xavier/farmer	1	-	2	-	3
67. Marcos/farmer	1	1	-	1	3
68. Juan Matias/farmer	1	1	-	1	3
69. Felilpe Santiago/carpenter	1	-	1	-	2
70. Juan Martin/farmer	1	1	1	-	3
71. Gabriel/farmer	1	1	2	1	5
72. Alexo Antonio/farmer	2	-	4	-	6
73. Lucia/widow	-	1	-	-	1
74. Domingo de la Cruz/farmer	1	1	-	1	3
75. Domingo Gomez/farmer	1	1	1	1	4
76. Juan Domingo/farmer	1	1	2	1	5
77. Salvador/farmer	1	1	-	2	4
78. Juan de Dios/farmer	1	-	-	-	1
79. Maria Encarnacion/widow	-	1	-	-	1
80. Felipe Santiago/farmer	1	1	2	2	6
81. Toribio/farmer	1	1	2	2	6
82. Pablo/farmer	1	-	-	1	2
83. Salvador/farmer	1	-	-	-	1
84. Domingo Santiago/farmer	1	-	-	-	1
85. Augustin Gregorio/farmer	1	-	1	1	3
86. Juana Antonia/widow	2	1	-	2	5
87. Juan/farmer	1	-	-	-	1
88. Tomas/farmer	1	1	-	1	3
89. Juan Lorenzo/farmer	1	1	-	-	2
90. Marcial/farmer	1	1	-	-	2
91. Urbana/widow	-	1	1	1	3
92. Maria Josefa/widow	-	1	-	-	1
93. Juan Sebastian/farmer	1	1	-	-	2
94. Maria/widow	-	1	1	1	3
95. Francisco/farmer	1	-	-	-	1
96. Francisco Tapia/farmer	1	-	-	-	1
97. Sebastian Duran/farmer	1	1	-	-	2
98. Rosalia/widow	-	1	1	-	2
99. Victoria/widow	-	2	-	-	2
Totals	72	57	39	51	219

Signed: Eugenio Fernandez
31 December 1784
(Juarez Archives MF 513, pt.2, r.11, frames 275-345)

302. 80

[illegible] Frati [illegible] – [illegible]

f. Rusic [illegible] d. Sig.r Gio

Eugenio – [illegible] Ann. 1784.

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cart. 83 [illegible]

[illegible] Casado de exercicio Labrador su familia [illegible]

85 [illegible] Moraga Viudo de exercicio Labrador, un hijo, y una [illegible]
de 24 años, un sobrino y una sobrina menores.

86... Juan Felipe Moraga casado de exercicio Labrador su familia [illegible]

87... Juan [illegible] Moraga casado de exercicio Labrador su familia [illegible]

88... Mariano Viudo de exercicio Labrador sin familia.

89... [illegible] Jesus Cruz Viudo de exercicio Labrador sin familia.

90... [illegible] Salado Viudo de exercicio Labrador sin familia.

91... Julian Moraga casado de exercicio Labrador su familia un hijo
de 7 años

~~92... Miguel Sn Juan Viudo de exercicio Labrador sin familia.~~

93... Juana Cesilia, Viuda, su familia un sobrino maior de 24. otro menor
una sobrina maior de 24.

94... Rosa Viuda, su familia dos hijos menores de 24 años

95... Josefa Viuda sin familia.

96... Juana, Viuda, sin familia.

97. Juana, Viuda, su familia un hijo menor de 7 años.

98... Andrea, Viuda, su familia un hijo, y una hija menores de 7 años.

99... Juana Viuda su familia una hija de un año.

100... Beronica, Viuda, sin familia.

101... Maria, Viuda, su familia un sobrino maior de 24 años.

102... Augustina, Viuda, sin familia.

103... Joaquina, Viuda, sin familia.

104... Micaela Cubero, Viuda, sin familia.

Sigue el Pueblo de Sn Antonio de la Isleta.

1... Dn Josef Maria Duran Español Casado su exercicio Tente
Pueblo su familia 3 hijos maiores de 24 años otro menor 2 hijas

[illegible] y . menores.

[illegible] [illegible] Español casado de Exercicio Labrador su familia un hijo maior de 14 años, 3 menores 2 hijas menores un Indio sirviente casado con un niño menor. Otro sirviente Español soltero maiores de 14 a.

Leonardo Durán Español casado de Exercicio Herrero su familia un hijo maior y otro menor 3 hijas menores dos sirvientes menores de 14 a.

Juan Duran Español casado un sirviente maior de 14 a. Otra sirvienta Id: otro sirviente Indio soltero maior una huerfana menor.

Rafael Tellez Español casado de Exercicio Labrador su familia un hijo maior y 2 menores.

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Antonio Tafoya [illegible] casado de Exercicio Labrador su familia un hijo maior de [illegible] años y 3 menores una hija maior y 3 menores.

Nicolas Sierra Español casado de Exercicio Labrador su familia un hijo menor de 7 años.

Alonso Tapia Mestizo casado su Exercicio Labrador, su familia un hijo maior, y 2 menores, una hija menor.

Juan Fermin Indio casado de Exercicio Labrador su familia.

Tomas Alcocer Español casado su Exercicio Labrador su familia tres hijas menores de 14 años.

Juan Montoya Indio casado su Exercicio Labrador su familia un hijo y una hija menores de 7 años.

Josef Montoya Español soltero de Exercicio Labrador sin familia

Lorenzo Lopez Español casado de Exercicio Herrero su familia dos hijos, y 3 hijas menores todos de 14 años.

Dn Antonio Saez Español casado de Exercicio Labrador su familia 2 hijos, y 4 hijas todos menores de 14 años.

Vicente Montoya Español casado de Exercicio Labrador su familia [illegible] años.

[illegible] Yndio casado de Exercicio Labrador su familia [illegible] menores de 14 años y 3 menores; una hija mayor y otra menor.

17 .. Pedro Gamboa Mestizo de Exercicio Labrador cas.do su familia [illegible] menores.

18 ... Juan [illegible] Apodaca Español casado de Exercicio Labrador su [illegible] 2 hijas una maior, y otra menor.

19 .... Juan José Luzero Español casado de Exercicio Labrador su familia hijos mayores. otro menor: una hija viuda sin hijos.

20 ... Luis Gomez Mestizo Casado de Exercicio Labrador su familia [illegible] menor de 7 años.

21 .... Antonia Romero Yndia viuda sin familia.

22 ... Pasqual Archuleta, Yndio, Casado, Labrador, su familia un hijo [illegible] otro menor, una hija menor de 7 años.

23 .. Jazinto Alderete Español Casado de Exercicio Labrador su familia hijo menor, una hija mayor, y otra menor.

24 .. Juan Josef Alderete Españ.l casado de Exercicio Labrador sin fam

25 .... Manuela Duran Española viuda su familia dos sobrinos mayores de 14 años, y otras 2 sobrinas maiores.

26 ... Manuel Ulloa Español Casado de Exercicio Labrador su familia menor de 7 años.

27 ... Gregorio Lujan Español casado de Exercicio Labrador su familia y 3 hijos todos menores de 14 años.

28 ... Nolasco Ortega Español, casado de Exercicio Labrador su un huerfano, y una huerfana mayores de 14 años.

29 ... Antonio Apodaca Español casado de Exercicio Labrador su fam 2 hijos, y una hija menores.

[illegible] Otero Español Casado de Exercicio Labrador su familia dos
[illegible] maiores de 14 años, otro menor, dos huerfanas maiores, y 2 meno-
res. [illegible] Sarbiere viudo con un hijo, y una hija menores.

Josef Moreno [illegible] Casado, de Exercicio Labrador su famili
2 hijas maiores de 14 años y 4 menores.

Andres Yzquiz Indio soltero de Exercicio Labrador sin familia.

Domingo Espinosa Mestizo Casado de Exercicio Musico su familia un
hijo, y una hija menores.

Antonio Madrid Indio Casado su Exercicio Labrador su familia una
hija menor de 7 años.

Manuel Padilla Español viudo su Exercicio Labrador sin familia.

Siguen los Indios.

Juan Patricio Casado Labrador su familia una hija menor.

Juan Nicolas Casado Labrador su familia un hijo maior, y 3 hijas menores.

Tomas Casado de Exercicio Labrador su fam.a una hija menor de 7 años.

Juan Marco Casado Labrador su familia una hija maior, y otra menor.

Andres Lucas, viudo, Labrador, su familia una hija menor.

Rafael Gomez Casado Labrador su familia un hijo maior, y una hija: otra
hija menor.

Maxim Sigala casado de Exercicio Labrador su familia dos hijos
menores, y una hija Idem.

[illegible]rencio, casado, Labrador, sin familia.

Diego Fermin, casado de Exercicio Labrador, sin familia.

Juan Luis Casado, de Exercicio Carpintero su familia un hijo, y tres
hijas menores todos de 14 años.

Diego Ramos, casado, de Exercicio Labrador su familia un hijo maior
y 2 hijas menores.

47.. Fran.co viudo de Coerácio Labrador su familia una hija maior.
48.. Domingo Ramos casado de Coerácio Carpintero sin familia.
49.. Antonio Marcos casado Labrador su familia dos hijos, y
50.. Prudencio viudo, Labrador sin familia.
51.. Catarina Viuda, su familia una criatura menor.
52.. Dominga Viuda su familia un hijo, y una hija menores.
53.. Clemente casado de Coerácio Labrador sin familia.
54.. Jorge casado de Coerácio Labrador su familia una hija menor.
55.. Tomasa viuda su familia un hijo, maior de 14. años.
56.. Arsenio de la Cruz, viudo, Labrador su familia un hijo maior de
57.. Marcos Lucrencio casado su familia una hija menor.
58.. Geronimo viudo, Labrador su familia un hijo, y una hija menores.
59.. Pasqual de los Reyes Viudo; Labrador su familia su suegra un
60.. Fran.co Xavier casado Labrador su familia un hijo, y una
61.. Juan Vicente casado Labrador su familia un hijo menor.
62.. Maria Teresa viuda su familia un hijo, y una hija menores.
63.. Melchor de los Reyes casado Labrador su familia 3. hijos m
y 3. hijas menores.
64.. Bartolo Baca, casado Labrador su familia un hijo maior
menores, y una hija Tom.
65.. Fran.co casado Labrador su familia un hijo, y 2. hijas menores
66.. Fran.co Xavier viudo Labrador su familia dos hijos menores.
67.. Marcos casado Labrador su familia una hija menor.
68.. Juan Matias casado, Labrador su familia una hija menor.
69.. Felipe Santiago viudo de Coerácio Carpintero su fam.a un hijo m
70.. Juan Martin casado Labrador su familia un hijo menor.
71.. Gabriel casado, Labrador su familia 2. hijos, y una hija menores

[illegible] Viudo [illegible] su familia un hijo mayor [illegible] y hi-
[illegible]

[illegible] sin familia.

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Domingo [illegible] su familia una hija menor.

Domingo [illegible] Casado Labrador su familia dos hijos, y una hija [illegible].

[illegible] Domingo [illegible] Labrador su familia dos hijos, y una hija menores.

[illegible] Viudo [illegible] Labrador su familia dos hijas menores.

Juan de Dios Viudo Labrador sin familia.

Maria [illegible] Viuda sin familia.

Felipe [illegible] [illegible] Labrador su familia dos hijos, y [illegible] todos menores.

[illegible] Casado Labrador su familia dos hijos, y 2. hijas todos menores.

[illegible], Viudo, Labrador su familia una hija menor.

[illegible] Viudo Labrador sin familia.

Domingo [illegible] Viudo, Labrador, sin familia.

Agustin Gregorio Viudo, Labrador su familia un hijo, y una hija menores.

[illegible] Viuda su familia 2. hijos mayores, y 2. hijas menores.

Juan Viudo, su Coerario Labrador sin familia.

Tomas Casado Labrador su familia una hija menor.

Juan Lorenzo Casado Labrador, sin familia.

Marcial Soltero Labrador con una hermana mayores de 24. años.

Urbana Viuda, su familia un hijo y una hija menores.

Maria Josefa Viuda sin familia.

Juan Sebastian Casado. Labrador su familia.

Maria Viuda. su familia un hijo, y una hija mayores.

Fran.co Viudo. de Coerario Labrador sin familia.

Fran.co Tapia Viudo Labrador sin familia.

31. [illegible] Duran Casado Labrador sin familia.

32. P[illegible] Viuda su familia un hijo menor.

33. Vicenta Viuda su familia una hija maior.

Sigue el Pueblo dela Limpia Concepcion del Socorr

1°. Dn. Vicente Lopez Español Casado [illegible] Juntaca de dho [illegible] 6 hijos, y una hija todos menores de 24 años.

2. Fr. Franco Dueñas dela Regular Observancia Ministro de [illegible] milia dos Indios huerfanos menores de 24 años.

3. Dn. Esteban Lopez Español Casado de Comercio Labrador su [illegible] hijo mayor, y una India Criada mayor de 24 años.

4. Dn. Antonio Nuñez Español Casado de Comercio Labrador [illegible] dos hijos menores de 24 años.

5. Diego Barela Español Casado su Comercio Labrador su [illegible] hijas maiores; 4 hijos menores, 2 hijas maiores, y una menor.

6. Anselmo Guerra Español Casado de Comercio Labrador su famili[illegible] menor de 7 años.

7. Leonardo Lucero Mestizo Casado de Comercio Labrador sin fami[illegible]

8. Miguel dela Luz Mestizo Casado su Comercio [illegible] su fam[illegible] hijas maiores.

9. Guillermo Lujan Mestizo Casado Labrador sin familia.

10. Juan Zaragosa Español Casado de Comercio Labrador su familia hijo maior de 24 años y 2 hijas menores.

11. Juan Duran Español Casado de Comercio Labrador su famili[illegible] hijos, y una hija menores de 24 años.

12. Juan Trinidad Mestizo Casado de Comercio Labrador su fam[illegible] dos hijos y una hija menores.

Appendix B

Government of Ysleta del Sur Pueblo

By
Raymond D. Apodaca, Executive Director,
Texas Indian Commission and Spokesperson,
Ysleta del Sur Pueblo

The government of Ysleta del Sur Pueblo at the Tigua Indian Reservation is one of the purest traditional forms of American Indian and specifically Pueblo Indian government remaining in this country.

As defined in tradition and documented by early Spanish explorers, pre-Spanish influence or native/indigenous Pueblo governments were involved primarily with religious affairs, but did have secular officers selected by religious leaders.

The village was headed by a town or village chief holding his position for life, with some checks on his power provided by the war captain (or war chief) and the council priests. Removal could only be made for incompetency or sacriledge. In Isleta, he is called *Taikabede* (note: the Arawakon/Spanish term *Cacique* is used by non-Indians to designate the highest ranking priest or chief in the ceremonial organization of the Indian pueblo and is commonly used by Rio Grande Pueblo Indians themselves when speaking of their town or principle chief to non-Indians).

While the priests did not involve themselves in secular affairs, they did have final authority in all matters sacred and profane. Secular officers performed ordinary and routine responsibilities and deferred all important decisions to the priests.

In the 1680's and 90's, Spanish authorities, in order to facilitate civil administration, enhance missionary efforts, and reduce native religious influence, required the adoption of a new structure and appointment of a set of civil officers in each pueblo. These officers were usually a governor, a lieutenant governor, an alguacil or sheriff, and fiscales (church wardens). Other minor officials including sacristans, mayordomos (ditch bosses), and so on, were created according to need.

The governor was to be the general civil administrator and represent the village in all dealings with outside authorities. The lieutenant governor was to serve as assistant, act in his absence, and in case of death or removal, to replace the governor. The alguacil was charged with maintaining law and order in the pueblo and fiscales were responsible for church discipline, order, and coordination. Other minor officials' offices were defined by need. The war captain (chief) was to serve a dual function, first as perceived by the Spanish, to act as leaders of the warriors in the time of need and, as perceived by the native authorities, to carry out the orders of the Cacique and insure the survival and practice of traditional customs.

The ultimate goal of the introduction of this "new" system by the Spanish was the displacement of the governmental and ceremonial system by supplanting them with the "new" system. This did not happen. Even today, the native socio-political system remains as de facto government and ceremonial organization. In the case of most of the Pueblos, civil officers, based on the "Spanish model" are appointed by the religious leader(s) and some officials such as the war captains continue representing and supporting strictly the religious/traditional side.

In the 1930's through 60's efforts were made by the American government to introduce and have adopted more modern secular government with "new tribal councils," constitutions, and even elections. Despite great pressures to do this, of the nineteen Pueblos in New Mexico and the Hopi in Arizona, only six Pueblos have adopted these "modern" elective forms of government.

While these governments have a strong role and influence on civil affairs and on external matters, the religious structure still continues to exert substantial influence on internal community life.

The form and structure of the government of Ysleta del Sur has changed very little from that of the 1680's. Annually, on December 31, all male adult members of the Pueblo are called to a meeting in the cermonial house (*Tuh-la*) by the Cacique (*Taikabede*). At the time he announces his selection or "nomination" of officers for the coming year. Unless there is general disagreement with the choices, their appointment is affirmed by the assembled. If there is disagreement the Cacique opens the meeting for nominations. A person is then selected for each office, Governor, Lieutenant Governor, Alguacil, War Captain, four subordinate captains, and Mayordomos (with combined duties and functins of fiscales and mayordomos in the village). An additional two "council members" are also appointed. The Governor, Lieutenant Governor, Alguacil, War Captain, and subordinate captains are invested in office by the Cacique conferring the Canes of Authority or "mothers" on them, charging them with duties and blessing them. The mayordomos and additional council members are simply blessed and charged with their duties.

The "Council," composed of the Cacique, Governor, Lieutenant Governor, Alguacil, and two added members, is responsible for the affairs, secular and religious, of the Pueblo. The Cacique functions as chief priest, religious patriarch, head of the Pueblo, and the Governor performs civil duties and represents the village in all outside relations and civil functions.

The "1895 Compact," as it is called, the only written document pertaining to the government, is not a constitution, but merely a formal documentation and enumeration of the duties of the civil officers. It did not change either form, structure, or responsibilities and authority. The Pueblo, in keeping with tradition, has no constitution. It has repeatedly refused to adopt one or change its form of government despite repeated and very substantial pressure for change throughout its history by church and government.

Appendix C

The Tribal Roll of Ysleta del Sur Pueblo

By
Raymond D. Apodaca,
Executive Director, Texas Indian Commission
and Spokesperson,
Ysleta del Sur Pueblo

The Pueblo of Ysleta del Sur Pueblo has a total enrollment of 1124. Of these, 801 live in El Paso County, Texas, and are considered resident members (note: included in this number are students or military temporarily out of the country) and the remaining 323 are located in the remainder of Texas and the nation, primarily in New Mexico, Arizona, and California.

The tribal roll has been certified and registered with the Texas Indian Commission. The roll has been permenently closed with the only new additions or enrollments allowed, after the closing date of Decemkber '984, being new born or infant children whose parents are already on the roll and who are of 1/8 or more digree of Tigua Indian blood.

The roll, which was originally established in 1967, remained open until 1976. From 1977 to 1984 the roll was thoroughly researched, verified, and certified on an individual person by person basis. Tigua heritage and degree of Tigua Indian blood for each individual was established on a genealogical basis and verified through the use of oral and written testimonies by tribal elders, historical and current legal records, including census rolls (including 1700's and 1800's), military records, school records, birth certificates and marriage licenses, land records, church records, and tribal rocords and docuements.

The present population breakdown by degree of blood quantum is:

8/8 - 14
6/8 - 33
11/16 - 11
5/8 - 18
4/8 - 106
3/8 - 119
11/32 - 14
5/16 - 41
2/8 - 289
3/16 - 60
5/32 - 9
1/8 - 410

Appendix

List of Ysleta del Sur Pueblo Tribal Members

and

Certificate of Tribal Membership

STATE OF TEXAS

TEXAS INDIAN COMMISSION

Sample

__________ TRIBE OF TEXAS

__________ (NAME)

__________ (SSN.)

__________ (DATE OF BIRTH)

__________ (PLACE OF BIRTH)

/ DEGREE OF INDIAN BLOOD
ENOTES DEGREE OF BLOOD ONLY FOR
RIBE IN WHICH INDIVIDUAL IS
NROLLED IN TEXAS)

TX-__________
CENSUS (ENROLLMENT) NUMBER

(INDIVIDUAL'S RIGHT THUMB PRINT)

PARENTS:

__________ (NATURAL FATHER) __________ / DEGREE OF INDIAN

TEXAS INDIAN COMMISSION

COMMISSIONERS

EDO FIFER
Chairman, El Paso

Owanah Anderson
Commissioner, Wichita Falls

DON ELLYSON
Commissioner, Waxahachie

RAYMOND D. APODACA
Executive Director
9434 VISCOUNT, SUITE 122
EL PASO, TEXAS 79925
(915) 591-4461

AGENCIES

ALABAMA-COUSHATTA
INDIAN RESERVATION
Rt. 3, Box 640
Livingston, Texas 77351
(409) 563-4391

TIGUA INDIAN RESERVATION
P. O. Box 17579
Ysleta Station
El Paso, Texas 79917
(915) 859-7913

Texas Indian Commission
Resolution TIC-85-005

Pertaining to the Acceptance and Certification of the Tribal Rolls of the Ysleta Del Sur Pueblo, the Tigua (Tiwa) Indian Tribe of Texas.

WHEREAS, the Texas Indian Commission is the Trust Agency of the State of Texas with regard to the Tigua Indian Tribe, and,

WHEREAS, its main duty and responsibility as trustee is to assist this tribe in the development of their human and economic resources by improving their health, educational, agricultural, business, and industrial capacities and to insure the protection of their lands, resources, and people, and

WHEREAS, the Tribal Council of the Pueblo of Ysleta del Sur, also known as the Tiwa (Tigua) Indian Tribe of Texas has certified to this Commission that over the period of seven (7) years from 1978 to 1984 did thoroughly review and investigate the existing Tribal Rolls, and the personal documents, applications for enrollment and all other data and documents of individuals wishing to be enrolled as members of the Pueblo, and,

WHEREAS, it has further certified that after said reviews and investigations and with additional oral and written testimonies by Tribal elders and leaders is satisfied that the most thorough, exhaustive, and complete determination of who is and can be legitimately considered a Tigua Indian, a member of Ysleta del Sur Pueblo, has been conducted and completed, and,

WHEREAS, it does further certify as a result of the above actions the Tribal Council acting on behalf of the Pueblo of Ysleta del Sur is now ready to certify a permanent tribal membership roll, and,

WHEREAS, the Tribal Membership Roll presented and transmitted to the Texas Indian Commission at the meeting of January 16, 1984 as directed by the Tribal Council and certified as being true, correct and complete by the Ysleta del Sur Pueblo Tribal Council in an official meeting of December 18, 1984,

THEREFORE BE IT RESOLVED, that the Texas Indian Commission does hereby accept and certify the Tribal Rolls as presented to be the true and correct permanent membership roll of Ysleta Del Sur Pueblo, Tiwa (Tigua) Indian Tribe of Texas.

DATE: January 16, 1985 APPROVED Edd Fifer, Chairman

I certify that the foregoing Resolution has been approved and is in the minutes of the January 16, 1985 meeting of the Texas Indian Commission.

DATE: January 16, 1985 APPROVED Raymond D. Apodaca
Executive Director

RESOLUTION #TC-5-84

WHEREAS, the Pueblo of Ysleta del Sur, also known as the Tiwa (Tigua) Indian Tribe of Texas, over the period of seven (7) years from 1978 to 1984 did thoroughly review and investigate the existing Tribal Rolls, and the personal documents, applications for enrollment and all other data and documents of individuals wishing to be enrolled as members of the Pueblo, and

WHEREAS, after said reviews and investigations and with additional oral and written testimonies by Tribal elders and leaders is satisfied that the most thorough, exhaustive, and complete determination of who is and can be legitimately considered a Tigua Indian, a member of Ysleta del Sur Pueblo, has been conducted and completed, and

WHEREAS, as a result of the above actions the Tribal Council acting on behalf of the Pueblo of Ysleta del Sur is now ready to certify a permanent tribal membership roll, now

THEREFORE BE IT RESOLVED, that the Tribal Membership Roll herewith attached and transmitted, has been certified as being true, correct and complete by the Ysleta del Sur Pueblo Tribal Council in an official meeting of December 18, 1984, and

NOW THEREFORE BE IT RESOLVED, that the Ysleta del Sur Pueblo Tribal Council by this transmission and resolution does hereby declare these Tribal Rolls permanently closed with the exception of any additions as described in paragraph two of the Regulation of Tribal Membership and Enrollment as adopted with and pertaining to the Permanent Tribal Membership Roll and herewith attached, and

THEREFORE BE IT FURTHER RESOLVED, that the Ysleta del Sur Pueblo Tribal Council hereby directs Ray Ramirez, Superintendent, to assign and issue roll numbers and Certificate of Degree of Indian Blood, to all those individuals on the certified roll who meet the established blood quantums, and

THEREFORE BE IT FURTHER RESOLVED, that the Ysleta del Sur Pueblo Tribal Council hereby directs Ray Ramirez, as trustee for the Pueblo, to convey said Tribal Roll and certify said roll with the Texas Indian Commission as the permanent registered roll of the Ysleta del Sur Pueblo.

DATE: 12-18-84

APPROVED: Johnny L. Hisa
Johnny L. Hisa
Tribal Governor

I certify that the foregoing Resolution has been approved by the Tigua Indian Tribal Council.

DATE: 12-18-84

CERTIFIED:
Raymond Ramirez
Superintendent

Regulation on Tribal Membership and Enrollment

The membership of the Ysleta del Sur Pueblo, also known as the Tiwa (Tigua) Indian Tribe of Texas, shall consist of any individual of 1/8 degree or more of Tigua-Ysleta del Sur Pueblo Indian Blood who was enrolled and whose name appears on the Tribal roll as of 31 December, 1984. This roll having been certified as true and correct by the Tribal Council on December 18, 1984.

Any individual born after 1 January 1980, having 1/8 degree or more of Tigua-Ysleta del Sur Pueblo Indian blood and having at least one parent listed on the December 18, 1984 certified roll may be enrolled upon petition to and certification by the Tribal Council.

For the purposes of enrollment, the term Tigua-Ysleta del Sur Pueblo shall mean a direct bloodline descendent of an Isleta or Piro Pueblo Indian having been relocated from Central New Mexico and settled in the immediate vicinity of present day Ysleta, Texas in 1680 and 1681.

Adopted by the Ysleta del Sur Pueblo Tribal Council in a regular meeting of December 18, 1984.

Johnny Hisa
Johnny Hisa
Tribal Governor

ATTEST: Raymond Ramirez
Raymond Ramirez, Superintendent

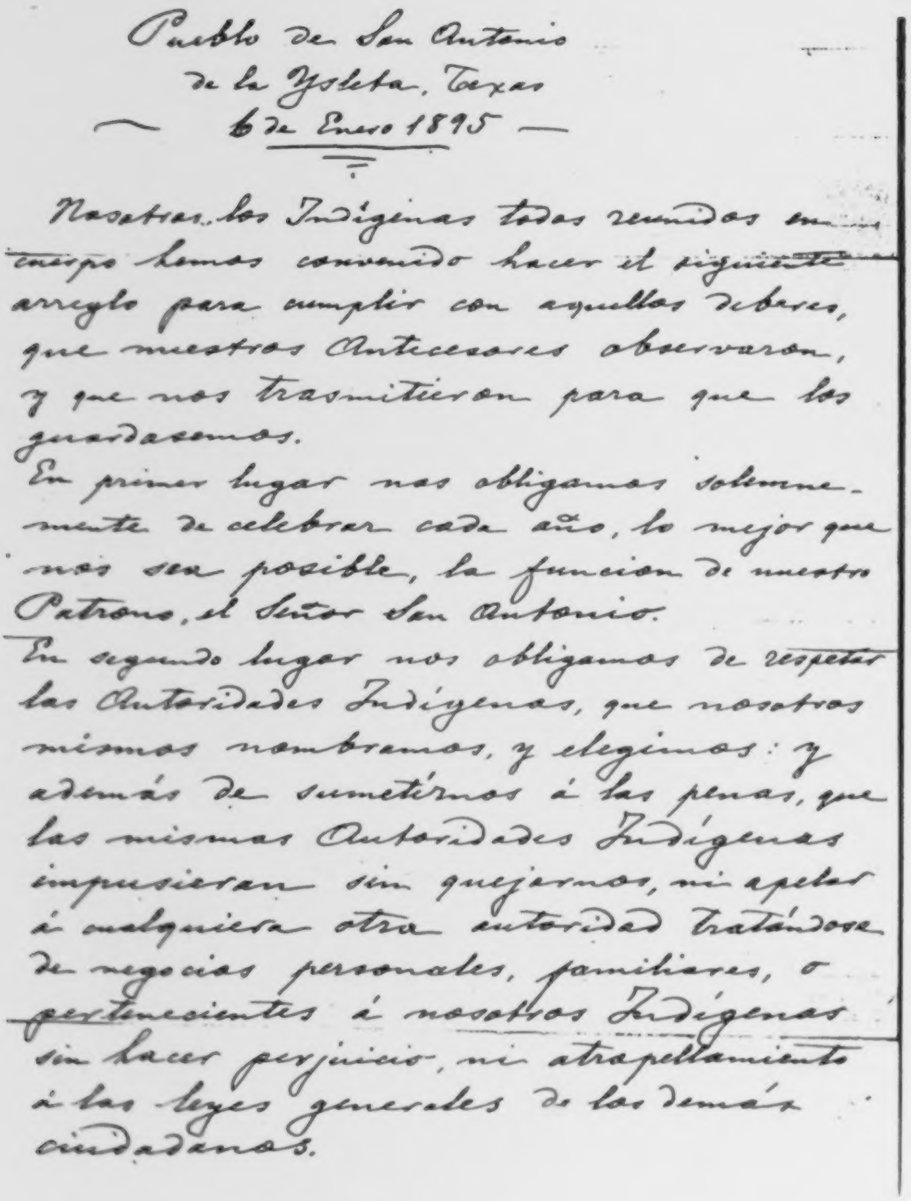
Elizabeth Garcia
Elizabeth Garcia
Secretary

Estado de Texas } Ante mi G. W. Wahl
Condado de El Paso } Notario Publico en y por el Condado de El Paso.

Personalmente aparecieron Jose V. Pierotti - Vicente Gonzales - Mariano Colmenero - Manuel Ortega - Louis Gonzales - Cristobal Aguiar - Patricio Perea - Benigno Telles - Benobio Granillo - Victoriano Pedraza - Cornelio Duran - Venceslao Granillo - Tomas Granillo - Damacio Colmenero - Felipe Cruz - Faustino Granillo - Nemesio Marquez - Manuel Paiz - Dolores Alejo - Vicente Paiz - Apolinario Aguiar - Crecencio Marquez - Melchiades Trujillo - George Pierotti - Onofre Gonzales - Felipe Gonzales - Alejandro Ardila - Desiderio Colmenero - Bibian Granillo - Magdaleno Marquez - Aniceto Granillo - ~~Dionisio~~ Olguin - Vicente Gonzales - ~~Doroteo Gonzales~~ Andres Granillo cada uno personalmente conocido por mi ser las personas que firmaron las siguientes reglas y regulaciones y conocidos por mi que cada uno han firmado lo mismo para las propuestas y consideraciones ya espresado—

Pongo mi Sello Oficial y firma en Ysleta este 30th dia de Septiembre A.D. 1895—

G. W. Wahl J.P.
y Ex officio Notary Public



Pueblo de San Antonio
de la Ysleta, Texas
— 6 de Enero 1895 —

Nosotros los Indígenas todos reunidos en cuerpo hemos convenido hacer el siguiente arreglo para cumplir con aquellos deberes, que nuestros Anticesores observaron, y que nos trasmitieron para que los guardasemos.

En primer lugar nos obligamos solemnemente de celebrar cada año, lo mejor que nos sea posible, la funcion de nuestro Patrono, el Señor San Antonio.

En segundo lugar nos obligamos de respetar las Autoridades Indígenas, que nosotros mismos nombramos, y elegimos: y además de sumetérnos á las penas, que las mismas Autoridades Indígenas impusieran sin quejarnos, ni apelar á cualquiera otra autoridad tratándose de negocios personales, familiares, o pertenecientes á nosotros Indígenas sin hacer perjuicio, ni atropellamiento á las leyes generales de los demás ciudadanos.

En tercer lugar establecemos que cualquiera falta, contra el respeto debido á nuestras Autoridades Indígenas, sea castigada por la primera vez con 24 horas de arresto; dejando sinembargo á la prudencia de las mismas Autoridades Indígenas de aumentar el castigo, si la misma persona volviese á faltarles de nuevo

Para que este arreglo tenga fuerza y vigor todos, y libremente, y con gusto ponemos nuestra firma

Jose V. Piarote
~~Aniceto Gonzales~~
Mariano Colmenero
Manuel Ortega
Luis Gonzales
Cristobal Aguiar
Patricio Perea
Benigno Telles
Zenobio Granillo
Victoriano Pedraza
Cornelio Duran
Venceslao Granillo
Tomas Granillo
Damasio Colmenero
Felipe Cruz

~~Faustino Granillo~~
~~[illegible] Marquez~~
Manuel Saiz
Dolores Alejo
Vicente Saiz
Apolinario Aguiar
Cresencio Marquez
Melchiades Trujillo
George Piarote
Onofre Gonzalez
Felipe Gonzalez
Alejandro Rodela
Desiderio Colmenero
Bibian Granillo
Magdaleno Marquez

Aniceto Granillo
~~Damasiano Olguin~~
Vicente Gonzales.
~~[illegible]~~
~~Encarnacion Marquez~~
Tiburcio Perea
Santos Montolla
Sebastian Duran
Andres Duran
Toribio Pedraza
Andres Paez
Porfirio Garcia
Ponciano Olguin
Eugenio Molina
Eleno Marquez

1870 - PP. 12 F. 18

ARIETA, Francisca	F.29	-	Housekeeper	Texas
" Isabel	M.8	-	Son	Texas
" Melguides	M. 6	-	Son	Texas
" Encarnacion	F. 26	-	Keep House	Texas
" Romelda	F. 11	-	At home	Texas

1880-P.P. 32 F. 124

ALEJO, Pablo	M. 44	-	Laborer	Mexico
" Jose	M. 17	-	Step-son	Texas
" Yninez	M. 14	-	Step-son	Texas
" Juana	F. 16	-	Step-daughter	Texas
(Orpal) Margarita	F. 14	-	Daughter-in-Law	Texas

1885 Doc.

ALEJO, Dolores

1880 - P.P. 40 F. 171

APODACA, Maria	F. 59	-	Housekeeper	Texas

[redacted]

1890 Census

1880-P.P. 37 F. 168

QUIAR,	Alvino	M. 41	-	Indian	Texas
"	Alexandria	F. 20	-	Wife	Texas
"	Matilda	F. 08	-	Daughter	Texas
"	Victoria	F. 06	-	Daughter	Texas
"	Cristobal	M. 20	-	Son	Texas
"	Apolinar	M. 18	-	Son	Texas

1895 Doc.

QUIAR, Apolinar	M.18	-	1895 Doc.	Texas
QUIAR, Cristobal	M.20	-	1895 Doc.	Texas

1880 - -

QUIAR, Severino	M.12	-	(home of Miquel Villa)	Texas

1880 - PP. 6 F. 43

ASTILLO,		Laborer	Mexico
"	Rosaria	Servant	Mexico

1880 - PP.20 F. 62

[illegible], Cornilio	M. 18	-	Laborer	Texas

1870 - PP. 8 F. 13

[illegible],	Isidro	M. 40	-	Laborer	Texas
"	Faris	F. 35	-	Keeps House	Texas
"	Mariano	M. 20	-	Son	Texas
"	Andres	M. 18	-	Son	Texas
"	Daradano	M. 17	-	Son	Texas
"	Renaldo	M. 16	-	Son	Texas
"	Blas	M. 12	-	Son	Texas
"	Dimacio	M. 05	-	Son	Texas
"	Cornelis	F. 21	-	At Home	Texas

1880 - P.P.5 F. 42

[illegible],	Mariano	M. 30	-	Indian Scout	Texas
"	Losara	F. 36	-	Wife	Texas

1895 Dec.

[illegible], Mariano
" Damasio
" Desederio

	1880 - PP.3 F. 40			
OLGENERO,,Pedro	M. 55	-	Farmer	Texas
" Duario	M. 20	-	Son	Texas
" Damacio	M. 15	-	Son	Texas

RUIZ, Felipe — Army Doc.

	1880 - PP.6 F. 43			
DELGADO, Jose	M. 25	-	2nd Scout	Texas
	F. 18	-	Wife	Texas
	M. 6 mos.		Son	Texas

	1880 - PP.44 F. 178			
DOMINGUEZ, Juan	M. 50	-	2nd Scout	Texas

1880 - PP.25 F. 72

URAN,	Jose Ma	M. 70	-	Farmer	Texas
"	Refugia Rufina	F. 60	-	Wife	Texas
"	Ponciano	M. 25	-	2nd Scout	Texas
"	Cornelio	M. 17	-	Son	Texas
"	Sebastian	M. 15	-	Son	Texas
"	Domingo	M. 09	-	Son	Texas
"	Andres	M. 08	-	Son	Texas

1895 Doc.

URAN, Cornelio
" Sebastian

1870 - PP.6 F.10

URAN,	Jose	M. 40	-	Laborer	Texas
"	Ramona	F. 35	-	Housewife	Texas
"	Santiago	M. 15	-	Son	Texas
"	Mariano	M. 13	-	Son	Texas
"	Cornilio	M. 10	-	Son	Texas
"	Sebastian	M. 05	-	Son	Texas
"	Maria	F. 02	-	Daughter	Texas

1870 - PP. 23 F. 35

URAN,	Santiaga	F. 26	-	Keeps House	Mexico
"	Almagnda	F. 08	-	At Home	Sacramento Mtns.
anches,	Magdalena	F. 60	-	At Home	Mexico

	1880 - PP. 6		F. 43	
ALOINEZ, Petra	F. 22	-	Servant House of Jose Delgado	Mexico

GARCIA, Porfirio 1895 Doc.

Signer of the 1895 Document

		1870 - PP. 13		F. 19	
OMEZ,	Ginacio	M. 70	-	Laborer 9	Texas
"	Maria	F. 70	-	Wife	Mexico
"	Genaso	M. 18	-	Son	Mexico
"	Beluza	F. 17	-	Daughter	Mexico
"	Donato	M. 13	-	Son	Mexico
"	Alexandrea	F. 15	-	Daughter	Mexico

	1880 - PP.27		F.119	
ONZALES, Añiseto,	M. 32	-	Laborer	Texas

	1870 - PP.24 F. 70			
ONZALES, Francisco	M. 35	-	Laborer	Mexico
" Isabel	F. 20	-	Wife	Mexico
" Valintino	M. 02	-	Son	Mexico

	1880 - PP.32 F. 124			
ONZALES, Felipe	M. 42	-	Laborer	Texas
" Rita	F. 40	-	Wife	Mexico

	1880 - PP. 12 F. 51			
ONZALES, Felipe	M. 72	-	Laborer	Texas
" Bartala	F. 70	-	Wife	Texas

	1880 - PP. 11 F. 50			
ONZALES, Genovia	F. 08	-	Sister in Law of Damingo Olquin	Texas

1870 - PP.5 F.9

ONZALES,	Juan	M. 59	-	War Capitan	Texas
"	Agapeta	F. 39	-	Wife	Texas
"	Sastenes	M. 18	-	Son	Texas
"	Ramona	F. 15	-	Daughter	Texas
"	Felipe	M. 13	-	Son	Texas
"	Senobia	F. 10	-	Daughter	Texas
"	Pedro	M. 01	-	Son	Texas
"	Poncho	M. 02	-	Son	Texas
"	Sabrinna	F. 01	-	Daughter	Texas

ONZALES, Luis	1895 Doc.
onzales, Onofre	1895 Doc.
ONZALES, Felipe	1895 Doc.
ONZALES, Vicente	1895 Doc.
ONZALES, Sostene	1895 Doc.

Signers of the 1895 Document

1870 - PP. 19 F. 29

ONZALES,	Luis	M. 28	-	Laborer	Texas
"	Maria	F. 23	-	Wife	Texas
"	Juanita	F. 07	-	Daughter	Texas
"	Luz	M. 02	-	Son	Texas

1880 - PP. 42 F. 175

ONZALES,	Luis	M. 25	-	Laborer	Texas
"	Maria	F. 29	-	Wife	Texas
"	Juana	F. 12	-	Daughter	Texas
"	Onofre	M. 10	-	Son	Texas
"	Isidra	F. 07	-	Daughter	Texas
"	Vicente	M. 04	-	Son	Texas
"	[illegible]				

1870 - PP.24 F. 95

ONZALES, Luis	M. 32	-	Laborer	Texas
" Maria	F. 28	-	Wife	Texas
" Juanita	F. 06	-	Daughter	Texas
" Marufio	M. 02	-	Son	Texas

1870 - PP. 21 F. 31

GRANILLO, Andres	M. 27	-	Laborer	Texas
" Danato	M. 09	-	Son	Texas
" Filix	M. 07	-	Son	Texas

1870 - PP. 9 F. 14

GRANILLO, Aniceto	M. 21	-	Laborer	Texas
" Cornelia	F. 20	-	Wife	Texas
" Juan	M. 03	-	Son	Texas
" Blaza	F. 11 mos.		Daughter	Texas

1880 - PP. 14 F. 55

RANILLO, Benalado	M. 27	-	2nd Scout	Texas
" Juana	F. 21	-	Wife	Texas

RANILLO, Cruz	F. 70		(Home of Miguel Villa) Servant	Texas

1880 - PP. 7 F. 44

RANILLO,	Efusido	M. 29	-	Laborer	Texas
"	Cornilia	F. 29	-	Wife	Texas
"	Juan	M. 11	-	Son	Texas
"	Elena	F. 08	-	Daughter	Texas
"	Blaza	F. 11	-	Daughter	Texas
"	Bivian	M. 07	-	Son	Texas
"	Angela	F. 01	-	Daughter	Texas

1870 - PP. 22 F. 32

RANILLO,	Encarnacion	M. 50	-	Laborer	Texas
"	Maria	F. 38	-	Wife	Texas
"	Tomas	M. 25	-	Son	Texas
"	Nestora	F. 16	-	Daughter	Texas
"	Moneca	F. 8 mos.		Daughter	Texas

ANILLO,	Fabian	M. 60	-	Farmer	Texas
"	Ma. Eldifina	F. 40	-	Wife	Texas
"	Ma. Carlota	F. 16	-	Adopted daughter	Texas
"	Santos	M. 18	-	Son	Texas

1870 - PP. 7 F. 11

GRANILLO, Fabian	M. 48	-	Laborer9	Texas
" Ulabia	F. 30	-	Wife	Texas
" Masia	F. 17	-	Daughter	Texas
" Santos	M. 09	-	Son	Texas

1880 - PP. 13 F. 53

GRANILLO, Fanstino	M. 35	-	Laborer	Texas
" Felipa	F. 45	-	Wife	Texas
" Antonio	M. 15	-	Step-son	Texas
" Luisa	F. 13	-	Step-daughter	Texas
" Angel	M. 8 mos.		Son	Texas
" Anesito	M. 06		Son	Texas

1870 - PP. 15 F. 21

GRANILLO, Filiciana	F. 38	-	Keeps house	Texas
" Manuel	M. 25	-	At home	Texas
" Pedro	M. 24	-	At home	Texas
" Cruz	F. 07	-	At home	Texas

RANILLO, Juana	F. 45	-	Seamstress	Texas

RANILLO, Juana	F. 33	-	Housekeeper	Texas
" Gomecinda	F. 22	-	Sister	Texas

1880 - PP. 41 Family 174

1880 - PP. 27 F. 71

ONZALES, Juan	M. 80	-	Farmer	Texas
" Agapita	F. 49	-	Wife	Texas
" Sostenes	M. 33	-	2nd Scout	Texas
" Pedro	M. 12	-		
"				

1870 - PP. 1 F. 1

RANILLO, Tomas	M. 55	-	Farmer	Texas
" Felipa	F. 35	-	Wife	Texas
" Faustina	F. 19	-	Daughter	Texas

RANILLO, Tomas	M. 30	-	Ind. Scout	Texas
Piarote) Nestora	F. 26	-	Wife	Texas
" Andres	M. 11	-	Son (Father of Tomas & Salvador Granillo)	Texas
" Monica	F. 09	-	Daughter (Grandmother of Elias Trujillo)	Texas
" Leonora	F. 07	-	Daughter	Texas
"				

RANILLO,	Zenobio	M. 25 -	Ind. Scout	Texas
Cuaron)	Antonia F.	F. 20 -	Wife	Texas
"	Juana ..	F. 6 mos.-	Daughter	Texas

1880 - PP. 19 Family 61

1895 Document

GRANILLO,	Zenobio	1895 doc.
"	Venulas	1895 Doc.
"	Aniceto	1895 Doc.
"	Faustino	1895 Doc.
"	Bibian	1895 Doc.

1880 - PP. 29 F. 121

UERRA,	Petra	F. 31 -	Wife of Francisco Guerra	Texas
"	Nalcoidad	F. 12 -	Daughter	Texas
"	Leandra	F. 07 -	Daughter	Texas
"	Estevan	M. 22 -	Son	Texas

ARQUEZ,	Albino	M. 35 -	Laborer	Texas
"	Manuela	F. 26 -	Wife	Texas
"	Cristobal	M. 12 -	Son	Texas
"	Palmario	M. 07 -	Son	Texas

MARQUEZ,	Anastacio	M. 42	-	Farmer	Texas
"	Maria	F. 29	-	Wife	Texas
"	Elena	F. 7/mos	-	Daughter	Texas

1880 - PP. 45 Family 180

MARQUEZ,	Aniceto	M. 35	-	Laborer	Texas
"	Ines	F. 20	-	Wife	Texas
"	Catarina	F. 19	-	At home	Texas

1870 - PP. 16 Family 22

MARQUEZ,	Cremins	M. 30	-	Ind. Scout	Texas

1880 - PP. 33 Family 125

MARQUEZ,	Celsa	F. 04	-	Grandaughter of Trinidad Lopez (w)

1880 - PP. 30 Family 123

ARQUEZ, Eleno	1895 Doc.
ARQUEZ, Nemilio	1895 Doc.
ARQUEZ, Encarnacion	1895 Doc.
Marquez, [illegible]	"

Signers of the 1895 Document

ARQUEZ,	Ernest (?)	M. 30	-	Laborer	Texas
"	Ventura	F. 29	-	Wife	Texas
Granillo)	Carmen	F. 02	-	Adpt. Daughter	Texas

1880 - PP. 38 Family 169

ARQUEZ,	Ginaro	M. 74	-	Laborer	Texas
"	Felimina	F. 69	-	Wife	Texas
"	Demetrio	M. 25	-	At home	Texas
"	Maria	F. 20	-	At home	Texas
"	Maria	F. 16	-	At home	Texas

1870 - PP. 14 Family 30

ARQUEZ,	Felipa	F. 45	-	Mother	Texas
Tapia)	Eulalio	M. 25	-	Son	Texas
"	Jesus	M. 20	-	Son	Texas
"	Paula	F. 18	-	Daughter	Texas
"	Dorotia	F. 17	-	Daughter	Texas

ARQUEZ,	Marcelino	M. 40	-	Laborer	Texas
"	Jesusa	F. 35	-	Wife	Texas
"	Mariana	F. 18	-	Daughter	Texas
"	Santiago	M.	-	Son	Texas

1870 - PP. 24 FAmily 124

ARQUEZ,	Petra	F. 38	-	Housekeeper	Mexico
"	Francisco	M. 09	-	Son	Mexico
"	Natividad	F. 03	-	Daughter	Mexico
"	Luz	M. 3/mos	-	Son	Mexico

1870 - PP. 14 Family 30

OLINA, Euginio 1895 Doc.

Signer of the 1895 Document

ONTOYA,	Jose Ma.	M. 45	-	Ind. Scout	Texas
MARQUEZ)	Juana	F. 66	-	Mother	Texas
ONTOYA,	Juana	F. 18	-	Niece	Texas
"	Galvina	F. 08	-	Niece	Texas
"	Nicanor	M. 08	-	Nephew	Texas
"	Hilaris	M. 01	-	Nephew	Texas

MONTOYA,	Mariano	M. 30	-	Laborer	Texas
"	Ansira	F. 30	-	Wife	Texas
"	Diego	M. 10	-	Son	Texas
"	Juana	F. 08	-	Daughter	Texas
"	Sabrina	F. 06	-	Daughter	Texas
"	Galvina	F. 08	-	Daughter	Texas
"	Nicanor	M. 01	-	Son	Texas
"	Sabina	F. 10/mos-		Daughter	Texas
MARQUEZ)	Juana	F. 50	-	Mother	Texas
Piarote)	Basilio	M. 33	-	Laborer	Texas

1870 - PP. 10 FAmily 15

ONTOLLA, Santos 1895 Doc.

Signer of the 1895 Document

OLGUIN,	Anbrusio	M. 18	-	Servant	Texas

(Home of Miguel Villa)

1880 -

LGUIN,	Bernardo	M. 60	-	Ind. Scout U.S.A.	Texas
"	Patricia	F. 28	-	Wife	Texas
"	Ma. Luz	F. 10	-	Daughter	Texas
"	Augustina	F. 08	-	Daughter	Texas
edraza)	Jose	M. 18	-	Nephew	Texas

LGUÍN,	Domingo	M. 29	-	Ind. Scout U.S.A.	Texas
"	Genovia	F. 24	-	Wife	Texas
"	Piedad	F. 01	-	Daughter	Texas
onzales)	Genova	F. 08	-	Sister-in-law	Texas

1880 - PP. 11 Family 50

LGUIN,	Ponciano	M. 35	-	Ind. Scout U.S.A.	Texas
arquez)	Rita	F. 70	-	Mother	Texas
LGUIN,	Lozaca	F. 21	-	Wife	Texas
"	Lucia	F. 16	-	Niece	Mexico
"	Julian	M. 03	-	Son	Texas
"	Juana	F. 06	-	Daughter	Texas

1880 - PP. 22 Family 65

LGUIN,	Ponciano	1895 Doc.
LGUIN,	Donaciano	1895 Doc.

Signers of the 1895 Document

LGUIN,	Reyes	M. 40	-	Farmer	Texas
"	Petra	F. 50	-	Wife	Texas
"	Jose	M. 19	-	Son	Texas
"	Faustino	M. 15	-	Son	Texas

ELGUIN,	Simon	M. 35	-	Ind. Guide	Texas
"	Ponciana	F. 38	-	Wife	Texas
"	Pialos	M. 06	-	Son	Texas
"	Jose	M. 45	-	Ind. Guide	Texas
"	Juan	M 15	-	At home	Texas

1870 - PP. 4 Family 8

RTEGA,	Filemonia	F. 49	-	Housekeeper	Texas

1880 - PP. 46 Family 183

RTEGA, Manuel 1895 Doc.

Signer of the 1895 Document

RTEGA,	Manuel	M. 37	-	Ind. Scout U.S.A.	Texas
"	Francisca	F. 37	-	Wife	Texas
"	Juana	F. 17	-	Daughter	Texas
"	Elogio	M. 10	-	Son	Texas
"	Pilberta	F. 01	-	Daughter	Texas
arquez)	Ysabel	M. 21	-	Step-son	Texas
arquez)	Malvenido	M. 18	-	Step-son	Texas

RTEGA,	Valentina	F. 40	-	Housewife	Texas
iarote)	Silvestre	M. 27	-	Son	Texas
iarote)	Guadalupe	F. 13	-	Daughter	Texas
iarote)	Blas	M. 12	-	Son	Texas

1880 - PP. 8 Family 45

RTIZ,	Feliz	M. 36	-	Laborer	Mexico
"	Resergia	F. 14	-	Keeps house	Mexico
"	Corina	F. 14	-	Keeps house	Mexico
"	Luis	M. 08	-	Keeps house	Mexico
"	Busitio	M. 07	-	Keeps house	Mexico
"	Guevana	F. 07	-	Keeps house	Mexico
"	Catarina	F. 8/mos	-	Keeps house	Mexico

1870 - PP. 29 Family 163

AIZ,	Evangelisto	M. 14	-	Step-child (Felipa Tofolla)	Mexico

1880 - PP. 18 Family 60

PAIZ,	Juliana	F. 50	-	Housekeeper	Mexico
"	Juana	F. 35	-	Keeps house	Mexico
"	Eduardo	M. 81	-	At home	Mexico
"	Salinas	M. 10	-	At home	Mexico
"	Petra	F. 07	-	At home	Mexico

AIZ,	Manuel	1895 Doc.
AIZ,	Andres	1895 Doc.

Signers of the 1895 Document

AIZ,	Rafael	M. 46	-	Farmer	Texas
"	Concepcion	F. 31	-	Wife	Texas
"	Manuel	M. 16	-	Son	Texas
				(grandfather Enrique Paiz)	
"	Evangelisto	M. 14	-	Son	Texas
"	Victoriana	F. 12	-	Daughter	Texas
"	Leonel	M. 08	-	Son	Texas
"	Reyes	M. 04	-	Son	Texas

1880 - PP. 31 FAmily 95

EDRAZA,	Toribio	M. 42	-	Laborer	Mexico
"	Silvia	F. 39	-	Wife	Mexico
"	Hilaria	M. 15	-	Son	Mexico
"	Palimares	M. 12	-	Son	Mexico
"	Malicia	F. 08	-	Daughter	Mexico
"	Monica	F. 06	-	Daughter	Mexico
"	Albino	M. 03	-	Son	Mexico

1880 - PP. 35 Family 137

EDRAZA,	Jose D.	M. 55	-	Laborer	Mexico
"	Pilagia	F. 49	-	Wife	Mexico
"	Hermancalos	M. 05	-	Son	Mexico

EDRAZA,	Victoriano	1895 Doc.
EDRAZA,	Toribio	1895 Doc.

Signers of the 1895 Document

EREA,	Patricio	M. 46	-	Farmer	Texas
"	Filamina	F. 50	-	Wife	Texas
"	Juana	F. 08	-	Daughter B.	Texas

1880 - PP. 47 Family 192

EREA,	Patricio	1895 Doc.
EREA,	Tiburico	1895 Doc.

Signers of the 1895 Document

'IAROTE,	Asedria	F. 24	-	Seamstress	Texas
"	Margarita	F. 06	-	Daughter	Texas
"	Jose	M. 04	-	Son	Texas

IAROTE,	Brasilio	M. 40	-	Laborer	Texas
"	Andrea	F. 50	-	Sister	Texas

1880 - PP. 26 Family 118

IAROTE,	Estevan	M. 45	-	Laborer	Texas

1870 - PP. 25 Family 94

IAROTE,	Esteban	M. 70	-	Laborer	Texas

1880 - PP. 43 Family 176

IAROTE,	George	1895 Doc.
IAROTE,	Jose V.	1895 Doc.

IAROTE,	Georgre	M. 27	-	Laborer	Texas
"	Angelia	F. 22	-	Wife	Texas
"	Luisa	F. 08	-	Daughter	Texas
"	Francisca	F. 01	-	Daughter	Texas

1880 - PP. 23 Family 67

IAROTE,	Pascual	M. 30	-	Ind. Scout USA	Texas
"	Faustina	F. 26	-	Wife	Texas
"	Monica	F. 08	-	Daughter	Texas
"	Maria	F. 03	-	Daughter	Texas

1880 - PP. 10 Family 47

IAROTE,	Patricio	M. 35	-	Laborer	Texas
"	Filimina	F. 30	-	Wife	Texas

1870 - PP. 17 Family 27

IAROTE,	Victoriano	M. 38	-	Laborer	Texas
"	Maria	F. 35	-	Wife	Texas
"	Gabriano	M. 15	-	Son	Texas
"	George	M. 15	-	Son	Texas
"	Gregoria	F. 06	-	Daughter	Texas
"	Peferina	F. 04	-	Daughter	Texas

IAROTE,	Victoriano	M. 50	-	Farmer	Texas
"	Angela	F. 40	-	Wife	Texas
"	Gregoria	F. 18	-	Daughter	Texas
"	Porfiria	F. 13	-	Daughter	Texas
"	Paula	F. 05	-	Granddaughter	Texas

1880 - PP. 2 Family 39

IAROTE,	Ysidra	F. 49	-	Widow	Texas
LGUIN,	Domingo	M. 26	-	Son	Texas
EYVA,	Basilda	F. 12	-	Grandchild	Mexico
IAROTE,	Cruz	F. 16	-	Niece	Texas

1880 - PP. 9 Family46

ODELA, Alejandro 1895 Doc.

Signer of the 1895 Document

APIA,	Gabino	M. 35	-	Laborer	Texas

TAREATA,	Petra	F. 100	-	At home	Texas
"	Patricia	F. 40	-	At home	Texas
"	Catarino	M. 12	-	At home	Texas
"	Eduardo	M. 11	-	At home	Texas
"	Catarina	F. 39	-	At home	Texas
"	Senobio	M. 17	-	At home	Texas

1870 - PP. 3 Family 7

ELLES, Benigno 1895 Doc.

Signer of the 1895 Document

ELLES,	Bengino	M. 30	-	Farmer	Mexico
"	Sonoria	F. 35	-	Wife	Mexico
"	Domingo	M. 07	-	Son	Mexico
"	Reyarra	F. 15	-	Daughter	Mexico
"	Miacela	F. 06	-	Daughter	Mexico
"	Alejandro	M. 01	-	Son	Mexico

1880 - PP. 36 Family 167

RUJILLO, Reyes M. 28 - Ind. Scout USA Texas

TRUJILLO, Melchinides 1895 Doc.

Signer of the 1895 Document

	Initials	Date
Prepared By		
Approved By		

	Name	Blood Quantum	Sex	Birthdate	Birthplace	Social Security Number	Address
1001	Acosta, Carlos	4/8✓	M	10-23-61	El Paso, Texas	465-29-6859	
1002	Carlos Saul	2/8✓	M	02-09-79	El Paso, Texas		
1003	Olga Cristina	2/8✓	F	08-07-81	El Paso, Texas		
1004	Acosta, Margarita Granillo	8/8✓	F	06-11-25	Ysleta, Texas	450-56-9962	
1005	Aguilar, Emilia Pedraza	2/8✓	F	07-16-08	El Paso, Texas	567-20-6905	340 N. Gifford Ave., LA, CA
1006	Philip	1/8✓	M	01-27-34	Los Angeles, California	567-20-6908	
1007	Irene	1/8✓	F	09-07-37	Los Angeles, California	557-44-2795	
1008	Auhmada, Carmen Guerra	4/8	F	02-16-09	El Paso, Texas		206 Hamlet, Lemore, CA 93245
1009	Benjamin Guerra	2/8	M	15-12-32	California		
1010	Manuel Porfirio G.	2/8	M	07-03-34	California		
1011	Feliciano Guerra	2/8	M	03-20-45	California		
1012	Josefina	2/8	F	06-01-46	California		
1013	Alejo, Jose	1/8	M	03-22-49	El Paso, Texas	465-76-4082	
1014	Alejo, Juan	2/8	M	05-14-16	Ysleta, Texas	458-18-6510	
1015	Armando	1/8	M	11-22-47	Ysleta, Texas	456-86-5059	
1016	Arturo	1/8	M				
1017	Cruz	1/8	F				
1018	Ernesto	1/8	M	04-15-60			
1019	Rodolfo	1/8	M				
1020	Ramon	1/8	M				
1021	Almanzar, Armando Cruz	3/8	M	07-15-47	El Paso, Texas		

#2

	Initials	Date
Prepared By		
Approved By		

Roll #	Name	Blood Quantum	SEX	BIRTHDATE	BIRTHPLACE	SOCIAL SECURITY NUMBER	ADDRESS
1022	Almanzar, Margarita Luna	2/8	F	02-09-43	Ysleta, Texas	453-70-2240	
1023	Corina	1/8	F	04-29-63	El Paso, Texas		
1024	Isabel	1/8	F	08-03-64	El Paso, Texas		
1025	Raul Jr.	1/8	M	11-22-65	El Paso, Texas		
1026	Maria	1/8	F	10-21-66	Upland, California		
1027	Yolanda	1/8	F	10-08-68	El Paso, Texas	462-43-5010	
1028	Simon	1/8	M	06-30-70	El Paso, Texas		
1029	Alvidrez, Anita Holguin	6/8	F	12-22-39	Ysleta, Texas	455-98-1452	
1030	Veronica	3/8	F	05-20-75	El Paso, Texas		
1031	Alvidrez, Encarnacion Pais	6/8	F	04-06-45	Ysleta, Texas	453-70-1024	
1032	Albert Ayala	3/8	M	06-24-72	El Paso, Texas		
1033	Christine Pamela	3/8	F	09-04-76	El Paso, Texas		
1034	Alvidrez, Francisco	6/8	M	10-10-42	Fabens, Texas	454-80-1354	
1035	Francisco Jr.	3/8	M	11-25-78	El Paso, Texas		
1036	Alvidrez, Irma Garcia	2/8✓	F	07-25-50	El Paso, Texas	456-86-5046	
1037	David	1/8	M	10-01-74	El Paso, Texas		
1038	Zumalita	1/8	F	01-05-81	El Paso, Texas		
1039	Alvidrez, Jose Antonio	4/8	M	03-14-16	Ysleta, Texas	465-34-2933	
1040	Florencia Holguin (wife)	8/8	F	09-27-15	Ysleta, Texas	462-28-7985	
1041	Alvidrez, Magdalena (Jr.)Pais	6/8	F	06-17-51	El Paso, Texas	453-84-5119	
1042	Ma Elisa A. Carrasco	3/8	F	05-05-76	El Paso, Texas		
1043	Raul Alvidrez Gutierrez	3/8	M	06-30-70	El Paso, Texas		
1044	Librado III Carrasco	3/8	M	09-19-79	El Paso, Texas		

#3

	Initials	Date
Prepared By		
Approved By		

Roll #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTHPLACE	SOCIAL SECURITY NUMBER	ADDRESS
1045	Alvidrez, Magdelena (Sr.) Paiz	8/8✓	F	03-12-14	El Paso, Texas	455-20-2404	
1046	Ernesto	6/8	M	07-04-55	El Paso, Texas	453-84-5118	
1047	Alvidrez, Patrocinio Jr.	2/8	M	06-25-47	El Paso, Texas	461-74-4765	
1048	Deborah	1/8	F	08-09-68	El Paso, Texas		
1049	Maria Isabel	1/8	F	09-23-69	El Paso, Texas		
1050	Julia	1/8	F	11-17-74	El Paso, Texas		
1051	Alvidrez, Ramon	4/8	M	01-08-11	Cuadrilla, Texas		10343 Bere St., Pacoima, CA
1052	Apodaca, Carlos Eduardo	11/16	M	05-23-36	Las Cruces, New Mexico	525-64-9230	1090 M chen, Las Cruces, NM
1053	Karl Edward	11/32	M	09-06-67	Las Cruces, New Mexico		
1054	Robert Paul	11/32	M	09-06-72	Las Cruces, New Mexico		
1055	Apodaca, Cecilio Alejo	2/8	M	01-23-23	Ysleta, Texas	464-28-9140	
1056	Cecilio Jr.	1/8	M	11-11-57	Ysleta, Texas		
1057	Juanita	1/8	F	07-21-59	Ysleta, Texas		
1058	Irene	1/8	F	06-09-62	Ysleta, Texas		
1059	Gloria	1/8	F	08-01-65	Ysleta, Texas		
1060	Patricia	1/8	F	07-14-66	Ysleta, Texas		
1061	Lorenza	1/8	F	06-08-69	Ysleta, Texas		
1062	Apodaca, Juan Duran	11/16	M	10-21-40	Las Cruces, New Mexico	525-88-4811	1120 Espina, Las Cruces, NM
1063	Juan Jose	11/32	M	04-18-66	Las Cruces, New Mexico		
1064	Jesus Ramon	11/32	M	11-02-68	Las Cruces, New Mexico		
1065	Jaime Alberto	11/32	M	05-08-74	Las Cruces, New Mexico		
1066	Apodaca, Ma Dolores Ramirez	4/8	F	12-29-41	Las Cruces, New Mexico	525-90-9339	635 N. San Pedro, Las Cruces, NM
1067	William Gerald	2/8	M	12-01-67	Las Cruces, New Mexico		

Initials Date
Prepared By
Approved By

ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1068	Apodaca, Ramon (Raymond) Duran	11/16	M	10-15-46	Las Cruces, New Mexico	585-32-5927	
1069	Apodaca, Victor Manuel	11/16	M	04-15-58	Las Cruces, New Mexico	585-92-3973	1122 Espina, Las Cruces, NM
1070	Aquiar, Natalia (Holguin)	4/8	F	11-29-30	Deming, New Mexico	525-58-4199	407 S. Silver, Deming, NM
1071	Esteban	2/8 ✓	M	11-30-56	Deming, New Mexico		
1072	Yolanda	2/8	F	01-16-57	Deming, New Mexico		
1073	Sylvia	2/8	F	12-10-58	Deming, New Mexico		
1074	Edward	2/8	M	1959	Deming, New Mexico		
1075	Ana	2/8	F	1960	Deming, New Mexico		
1076	Martha	2/8	F	02-09-62	Deming, New Mexico		
1077	Teresa	2/8	F	12-16-69	Deming, New Mexico		
1078	Aquiar, Peter	2/8	M	06-29-37	Deming, New Mexico		5404 Summer N.E., Albuq., NM
1079	Peter Jr.	1/8	M	12-07-70	Deming, New Mexico		
1080	Joe	1/8	M	11-16-67	Deming, New Mexico		
1081	Veronica	1/8	F	06-14-66	Deming, New Mexico		
1082	Kathryn	1/8	F	01-30-65	Deming, New Mexico		
1083	Diane	1/8	F	07-25-63	Deming, New Mexico		
1084	Aragon, Elvira Carbajal	6/8	F	08-20-35	Ysleta, Texas		5036 Bradfield, Oxnard, CA
1085	Charles	3/8	M	10-27-53	Oxnard, California		
1086	Ralph	3/8	M	01-30-59	El Paso, Texas		
1087	Diana	3/8	F	11-23-65	Oxnard, California		
1088	Myra	3/8	F	01-17-68	Oxnard, California		
1089	Archuleta, Bayardo	3/8	M	08-15-40	El Paso, Texas	450-64-8248	
1090	Arreola, Alicia Rodela	1/8	F	01-29-23	Ysleta, Texas	458-18-3526	
1091	Arreola, Hector	1/8	M	07-14-52	El Paso, Texas		

	Initials	Date
Prepared By		
Approved By		

#5

ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1092	Arriaga, Norma Holguin	3/8	F	12-17-52	El Paso, Texas		
1093	Armola, Carolina Cruz	2/8	F	12-11-45	El Paso, Texas	456-76-[illegible]130	
1094	Patricia	1/8	F	07-05-69	El Paso, Texas		
1095	Edna Marie	1/8	F	09-08-71	El Paso, Texas		
1096	Melissa Ann	1/8	F	12-08-77	El Paso, Texas		
1097	Attwood, George Silvas	2/8	M	08-11-39	Ysleta, Texas		16538 Don St., Victorville, CA
1098	Irma	1/8	F	10-22-60	Apple Valley, California		
1099	Thomas Vincent	1/8	M	12-28-61	Apple Valley, California		
1100	Steven Anthony	1/8	M	11-09-63	Apple Valley, California		
1101	Maria Elena	1/8	F	06-21-66	Apple Valley, California		
1102	Jimmy Robert	1/8	M	06-16-67	Victorville, California		
1103	Patricia Ann	1/8	F	10-15-6			
1104	Ayala, Evangelina Valdez	2/8	F	01-22-22	Toyah, Texas		2019 Bishop, Stockton, CA
1105	Joe M. Jr.	1/8	M				
1106	Judith	1/8	F				
1107	Diane	1/8	F				
1108	Deborah	1/8	F				
1109	Jo Ann	1/8	F				321 W. Acacia, Stockton, CA
1110	Bailey, Irene Balizan (Gonzales)	3/8	F	04-28-31	Las Cruces, New Mexico		1220 Circle Dr., Las Cruces, NM
1111	Rosina	3/16	F				
1112	Cathy Louise	3/16	F				
1113	Dean Ross	3/16	M				
1114	Balizan, Aurora Gonzales	6/8	F	03-23-03	El Paso, Texas		1328 Bon Bust LN., Las Cruces, NM
1115	Valentin Jr.	3/8	M				
1116	Albert	3/8	M				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1117	Benavidez, Carmen	2/8	F	07-15-42	Ysleta, Texas	453-23-4865	
1118	Lorenza	1/8	F	08-23-63	Ysleta, Texas		
1119	Maria Luisa	1/8	F	08-04-64	Ysleta, Texas		
1120	Esteban Jr.	1/8	M	04-07-66	Ysleta, Texas		
1121	Beatrice	1/8	F	03-02-68	Ysleta, Texas		
1122	Sofia	1/8	F	02-18-70	Ysleta, Texas		
1123	Carmelita	1/8	F	03-20-71	Ysleta, Texas		
1124	Benavidez, Margarita Duran	8/8	F			525-42-0236	1411 W. 6th St., Tempe, AZ
1125	Urbano Jr.	4/8	M	06-21-57	Yuma, Arizona		
1126	Inez	4/8	F				
1127	Bermudes, Martha Duran Reyes	4/8	F				1411 W. 6th St., Tempe, AZ
1128	Reyes	2/8	M				
1129	Lisa	2/8	F				
1130	Rene	2/8	F				
1131	Betancourt, Ofelia Morales	2/8	F	06-11-46	Las Cruces, New Mexico	585-20-4060	720 Las Cruces, Las Cruces, NM
1132	Ramon	1/8	M	07-02-68	Honolulu, Hawaii		
1133	Lisa	1/8	F	02-27-73	Long Beach, California		
1134	Rachel	1/8	F	10-18-76	Japan		
1135	Borunda, William Alvidrez	2/8	M	12-05-42	El Paso, Texas	452-66-3971	
1136	Enrique	1/8	M				
1137	Brown, Leonor Attwood Silvas	2/8	F	06-21-36	El Paso, Texas		313 3rd St., Palestine, TX

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1138	Bustamante, Aurelia Paiz	5/8	F	11-17-57	El Paso, Texas	458-02-0744	
1139	Mary Ann	5/16	F	02-06-74	El Paso, Texas		
1140	Carlos	5/16	M	10-10-72	El Paso, Texas		
1141	Orlando	5/16	M	10-13-75	El Paso, Texas		
1142	Eddie	5/16	M	03-23-77	El Paso, Texas		
1143	Bustamante, Charles Masa	2/8	M	05-23-35	Ysleta, Texas		
1144	Bustamante, Juana G.	4/8	F	03-23-17	Ysleta, Texas		
1145	Bustamante, Juanita A.	3/8	F	07-25-52	El Paso, Texas		616 N. Anita, Tucson, AZ
1146	Elizabeth Annette	3/16	F				
1147	Audrey Denise	3/16	F				
1148	Bustamante, Pedro	5/8	M	01-28-53	Ysleta, Texas	454-96-0268	
1149	Rosie	5/16	F				
1150	Bustamante, Rosalia Paiz	6/8	F	09-04-21	Ysleta, Texas	458-23-5001	
1151	Bustamante, Santiago Granillo	4/8	M	06-13-21	Ysleta, Texas	459-24-0504	
1152	Manuel Antonio	2/8	M				
1153	Lorenzo Jose Santiago	2/8	M				
1154	Candelaria, Evangelina Pedraza	6/8	F	05-20-40	Ysleta, Texas	450-62-4571	
1155	Silvia Corrine	3/8	F	11-16-61	Ysleta, Texas		
1156	Filbert	3/8	M	09-17-62	Ysleta, Texas		
1157	George	3/8	M	02-22-74	Ysleta, Texas		
1158	Raul III	3/8	M	03-06-67	Ysleta, Texas		
1159	Candelaria, Julieta Ma Saenz	2/8	F	04-04-19	Zaragoza, Mexico	450-62-3827	
1160	Julieta Olympia	1/8	F	07-08-63	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1161	Cano, Maria Isela Ruiz ✓	3/8	F	02-10-53	Ysleta, Texas	454-11-2335	
1162	Melissa ✓	3/16	F	04-25-70	Ysleta, Texas		
1163	Christine	3/16	F	? 11-31-72	Ysleta, Texas		
1164	Raymond	3/16	M	05-02-75	El Paso, Texas		
1165	Marisol Ruiz	3/16	F	08-12-78	El Paso, Texas		
1166	Carbajal, Angelita Pedraza ✓	6/8	F	10-10-10	Old Mesilla, New Mexico		P. O. Box 571 Mesilla Park, NM
1167	Rosa ✓	3/8	F				
1168	Carolina	3/8	F				
1169	Albina ✓	3/8	F				
1170	Carmen	3/8	F				
1171	Guadalupe ✓	3/8	M				
1172	Jose Maria ✓	M 3/4	M				
1173	Carbajal, Dolores Colmenero ✓	6/8	F	02-11-52	El Paso, Texas	466-98-8889	Tucson, AZ
1174	Lisa Hernandez ✓	3/8	F	10-31-71	El Paso, Texas		
1175	Carbajal, Ernestina ✓	3/8	F	06-09-39	New Mexico		P. O. Box 571, Las Cruces, NM
1176	Adrian Martin ✓	3/16	M	09-03-67	Las Cruces, New Mexico		
1177	Carbajal, Felipe Colmenero ✓	6/8	M	02-05-40	Ysleta, Texas		6937 Valgreen, Van Nuyo, CA
1178	Carbajal, Jose Ernesto Piarote	4/8	M	10-21-02	El Paso, Texas	464-40-6096	
1179	Carbajal, Jose Luis	4/8	M				
1180	Carbajal, Pablo	4/8	M	06-30-1900	Ysleta, Texas	453-32-3206	
1181	Albino	2/8	M	03-16-59	Ysleta, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1182	Carbajal, Raymond Gonzales	2/8	M	07-27-57	Ysleta, Texas	465-15-7915	
1183	Raymond Jr.	1/8	M	08-31-74			
1184	Christopher	1/8	M	01-22-77	El Paso, Texas		
1185	Cardoza, Lucille Rodela	1/8	F	09-20-26	Ysleta, Texas	462-28-8192	
1186	Caro, Isidra Morales	2/8	F	05-15-52	Ysleta, Texas	454-96-0356	
1187	Yvonne	1/8	F	05-20-70	El Paso, Texas		
1188	Michelle	1/8	F	06-11-73	El Paso, Texas		
1189	Carrasco, Pedro Jr.	4/8	M	10-17-38	Ysleta, Texas	455-58-7467	
1190	Tomas	2/8	M	10-10-71	El Paso, Texas		
1191	Pablo	2/8	M	05-05-69	Ysleta, Texas		
1192	Cruz Antonia	2/8	F	05-03-67	Ysleta, Texas		
1193	Jose Guadalupe	2/8	M	09-25-65	Ysleta, Texas		
1194	Castillo, Frances Archuleta	3/8	F	10-04-41	Ysleta, Texas		
1195	Virginia	3/16	F	06-09-70	El Paso, Texas		
1196	Daniel	3/16	M	07-16-65	El Paso, Texas		
1197	Martin	3/16	M	06-07-73	El Paso, Texas		
1198	Gonzalo III	3/16	M	09-06-77	El Paso, Texas		
1199	Castaneda, Yolanda Luna	2/8	F	02-17-47	Ysleta, Texas		1351 Monterrey, Ontario, CA
1200	Jose III	1/8	M	11-13-65	Upland, California		
1201	Jaime	1/8	M		Ontario, California		
1202	Castillo, Eusebia Gonzales	2/8	F	01-29-24	San Elizario, Texas	453-28-2613	3469 Robineete St, Baldwin Park, CA
1203	Miguel	1/8	M	10-26-50	Belredere, Los Angeles		
1204	Sara	1/8	F				
1205	Irma	1/8	F	05-27-58	Belvedere, Los Angeles		
1206	Norma	1/8	F	08-26-66	Los Angeles, California		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1207	Chavez, Alberto Guerra	2/8	M	11-07-38	El Paso, Texas	555-56-0141	
1208	Alberto Jr.	1/8	M	03-18-60	El Paso, Texas		
1209	Angelica	1/8	F	01-10-76	El Paso, Texas		
1210	Chavez, Dolores Guerra	4/8	F	03-27-17	Ysleta, Texas		
1211	Chavez, Josephine Balizan	3/8	F	04-04-36	Las Cruces, New Mexico	525-78-8114	
1212	Felicia Marie Krynitz	3/16	F	07-29-59	Las Cruces, New Mexico		
1213	Cynthia Ann	3/16	F	08-05-61	Las Cruces, New Mexico		
1214	Anthony Emilio	3/16	M	03-17-67	Las Cruces, New Mexcio		
1215	Chavez, Julieta Rodela	2/8	F	09-20-07	Ysleta, Texas	458-40-5909	
1216	James	1/8	M	06-23-47	El Paso, Texas		
1217	Chavez, Yolanda Marie H. Pedraza	2/8	F	09-05-44	Los Angeles, California		
1218	Arthur Michael	1/8	M	04-11-64	Montebello, California		
1219	Christine Marie	1/8	F	08-03-65	Montebello, California		
1220	Anthony Micahel	1/8	M	12-29-66	Montebello, California		
1221	Paul Simon	1/8	M	06-16-70	Bellflower, California		
1222	Lisa Marie	1/8	F	12-12-71	Bellflower, California		
1223	Coblentz, Teresa Torres	1/8	F		Ysleta, Texas		
1224	Colmenero, Aurora Parra	2/8	F	1920 or 1930	Ysleta, Texas		
1225	Colmenero, Monica ?	4/8	F	05-04-28	El Paso, Texas		
1226	Concepcion	2/8		07-20-56	El Paso, Texas		
1227	Daniel Arthur	2/8	M	11-22-62	Los Angeles, California		
1228	Colmenero, Ricardo (continued)	6/8	M	04-08-41	Ysleta, Texas	525-96-0026	17028 Tuinnsite, Culina, CA 71722

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
	Colmenero, Ricardo (cont'd)						
1229	Ricardo Jr.	3/8	M	07-30-60	El Paso, Texas		
1230	Armando	3/8	M	08-17-61	El Paso, Texas		
1231	Daniel	3/8	M	07-15-64	La Puente, California		
1232	Rachel	3/8	F	06-15-66	Los Angeles, California		
1233	David	3/8	M	01-07-70	Los Angeles, California		
1234	Colmenero, Rodolfo	4/8	M	02-04-36	Ysleta, Texas		
1235	Rodolfo Phillip	2/8	M	06-01-65	Florida		
1236	Michael John	2/8	M	09-20-69	England		
1237	Cordero, Oscar Pedraza	2/8	M	05-04-40	Senecu, Mexico		
1238	Corona, Juanita Saenz	4/8	F	06-24-59	Ysleta, Texas		
1239	Jessica	2/8	F	07-29-77	El Paso, Texas		
1240	Corral, Edmundo Munoz	1/8	M	06-04-43	Ysleta, Texas	451-66-8564	
1241	Corral, Ramon Munoz	1/8	M	04-10-38	El Paso, Texas	455-58-6545	
1242	Cortez, Gloria Cruz	2/8	F	09-25-46	Ysleta, Texas		
1243	Sylvia Anne	1/8	F	01-18-63	Ysleta, Texas		
1244	Pasqual Jr.	1/8	M	04-19-64	Ysleta, Texas		
1245	Gloria Yvette	1/8	F	07-25-73	Ysleta, Texas		
1246	Veronica	1/8	F				
1247	Cowles, Rosie Aquiar	2/8	F	05-18-49	Deming, New Mexico	585-40-0412	362 W. Marcus, Tucson, AZ
1248	Steven Daniel	1/8	M	06-22-48	Tulare		
1249	Christopher Michael	1/8	M	12-16-80	Tulare		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1250	Cruz, Antonio Gabriel	1/8	M	03-24-60	El Paso, Texas	453-39-9626	
1251	Cruz, Antonio Gonzales	4/8	M	09-23-08	Ysleta, Texas	459-18-1769	
1252	Cruz, Antonio Gonzales Jr.	2/8	M	05-11-40	Ysleta, Texas	460-66-9552	
1253	Leonel De Leon	1/8	M	12-22-62	El Paso, Texas		
1254	Norma Lorenza	1/8	F	08-24-67	El Paso, Texas		
1255	Mark Allen	1/8	M	08-24-64	El Paso, Texas		
1256	Cruz, Blas Paz	2/8	M	06-02-50	El Paso, Texas	466-94-1138	
1257	Yvette	1/8	F	08-24-54	El Paso, Texas		
1258	Blas Anthony	1/8	M	07-09-72	El Paso, Texas		
1259	Paul Gabriel	1/8	M	11-03-73	El Paso, Texas		
1260	Eddie	1/8	M	01-20-75	El Paso, Texas		
1261	Cruz, Felipe Jr. Gonzales	4/8	M	03-10-20	Ysleta, Texas	459-18-1666	
1262	Carolina	2/8	F	12-21-45	El Paso, Texas	456-76-3130	
1263	Maria Elena Rodriguez	2/8	F	03-08-56	El Paso, Texas		
1264	Cruz, Johnry Bernal	2/8	M	09-17-44	Ysleta, Texas		
1265	Teresa	1/8	F	10-26-71	Ysleta, Texas		
1266	Johnny Jr.	1/8	M	08-21-58	Ysleta, Texas		
1267	Veronica	1/8	F	10-19-74	Ysleta, Texas		
1268	Cruz, Ricardo, Casillas	2/8	M	04-18-59	Ysleta, Texas		
1269	Cruz, Roberto Felipe Bernal	2/8	M	08-26-42	Ysleta, Texas	459-64-7308	
1270	Irene Hernandez	1/8	F	10-25-61	Ysleta, Texas		
1271	Lori Ann	1/8	F	09-03-65	Ysleta, Texas		
1272	Rosa Maria	1/8	F	09-23-68	Ysleta, Texas		
1273	Roberto Jr.	1/8	M	01-18-70	Ysleta, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER		ADDRESS
1274	Cruz, Rodolfo Casillas	1/8	M	01-02-55				
1275	Cruz, Tomas	2/8	M	07-26-51	Ysleta, Texas			
1276	De la Torre, Olga Duran	1/8	F	10-20-58	Ysleta, Texas			9086 Casa, El Paso, Texas
1277	De la Torre, Isabel	1/8	F	07-08-61	Ysleta, Texas			
1278	De la Torre, Leticia	1/8	F	09-17-62	Ysleta, Texas			
1279	De la Torre, Irene	1/8	F	12-04-63	Ysleta, Texas			
1280	De la Torre, Manuel	1/8	M	01-04-66	Ysleta, Texas			
1281	De la Torre, Maria Elena	1/8	F	09-22-67	Ysleta, Texas			
1282	De la Torre, Catalino Jr.	1/8	M	11-22-69	Ysleta, Texas			
1283	De la Torre, Pilar Padilla	2/8	F	07-29-51	Ysleta, Texas	455-98-0483		
1284	Cliserio	1/8	M	07-29-69	El Paso, Texas			
1285	Marylin	1/8	F	05-26-72	El Paso, Texas			
1286	Manuel Jr.	1/8	M	10-01-73	El Paso, Texas			
1287	Elaine	1/8	F	11-16-76	El Paso, Texas			
1288	Diaz, Brijida Granillo	4/8	F	10-06-47	Ysleta, Texas			
1289	Guadalupe	2/8	F	02-20-63	El Paso, Texas			
1290	Josefina	2/8	F	03-19-66	El Paso, Texas			
1291	Doyle, Eva Garcia	3/8	F	07-17-55	El Paso, Texas	560-17-6760		153 Donnellan Cir., North Weymouth Massachusetts
1292	Nathan Daniel	3/16	M	12-29-81	El Paso, Texas			

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1293	Dunbar, Francis Paiz Alvarado	2/8	M	10-02-24	Riverside, California	553-24-0990	725 S. San Pedro, Las Cruces, NM
1294	William	1/8	M				
1295	Gerald	1/8	M				
1296	Karen	1/8	F				
1297	Duran, Antonio Santiago	4/8	M	09-03-44	Las Cruces, New Mexico		
1298	Trisa Lyn	2/8	F	12-14-76	Maricopa, Phoenix		
1299	Michelle Catherine	2/8	F	01-27-75	Maricopa, Phoenix		
1300	Duran, Julia G. (deceased)	6/8	F	02-11-09	Ysleta, Texas		
1301	Bernardo	3/8	M	03-25-47	Ysleta, Texas		
1302	Rachel Galindo (granddaughter)	3/16	F				
1303	Duran, Ma Guadalupe Loera	2/8	F	08-29-52	Ysleta, Texas	462-96-0859	
1304	Joe Loera	1/8	M	15-18-73	Ysleta, Texas		
1305	Yolanda Loera	1/8	F	05-21-72	Ysleta, Texas		
1306	Duran, Ma Yolanda (deceased)	2/8	F	05-23-51	Ysleta, Texas		
1307	Renee	1/8	M	05-18-74	El Paso, Texas		
1308	Marisol	1/8	F	07-09-76			
1309	Adolfo Mike	1/8	M				
1310	Duran, Ofelia Loera	4/8	F	03-29-33	Ysleta, Texas		
1311	Gloria	2/8	F	04-03-67	Ysleta, Texas		
1312	Armando	2/8	M	09-16-57	Ysleta, Texas		
1313	Jaime	2/8	M	06-11-62	Ysleta, Texas		
1314	Teresa Yvonne	2/8	F	10-13-65	Ysleta, Texas		
1315	Gabriel	2/8	M	03-06-69	Ysleta, Texas		
1316	Tito	2/8	M	03-23-54	Ysleta, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1317	Duran, Ricardo Granillo	3/8	M	04-03-43	Ysleta, Texas	459-70-1646	
1318	Ricardo Jr. Lopez	3/16	M	03-06-70	El Paso, Texas		
1319	Robert	3/16	M	12-05-72	El Paso, Texas		
1320	Duran, Ruben Merced	6/8	M	09-24-48	Las Cruces, New Mexico		3826 W. Bleofield Ave. Glendale, Az
1321	Duran, Santiaga Loera	2/8	F	04-12-55	Ysleta, Texas	460-11-3010	
1322	Angie	1/8	F	04- -77	El Paso, Texas		
1323	Angel	1/8	M	08-28-73	El Paso, Texas		
1324	David	1/8	M	09-09-78	El Paso, Texas		
1325	Escobedo, Yolanda Marquez	2/8	F	01-02-39	Zaragosa		
1326	Dora Lucila	1/8	F	09-10-57	Ysleta, Texas	458-33-2030	
1327	Elena Alicia	1/8	F	01-05-59	Ysleta, Texas	456-33-6914	
1328	Hector Alfonso	1/8	M	12-10-59	Ysleta, Texas		
1329	Luis Alvaro	1/8	M	10-29-60	Ysleta, Toxas	461-41-4834	
1330	Jorge Antonio	1/8	M	12-08-52	Ysleta, Texas		
1331	Adolfo	1/8	M	09-08-65	Juarez, Chihuahua		
1332	Yolanda Marisol	1/8	F	02-01-67	Juarez, Chihuahua		
1333	Ana Marcela	1/8	F	03-13-69	Juarez, Chihuahua		
1334	Adriana	1/8	F	08-05-70	Zaragosa		
1335	Espinosa, Lilia Guerra	2/8	F	10-18-44	El Paso, Texas	453-70-0503	
1336	Donna Lynn	1/8	F	10-04-64	El Paso, Texas		
1337	Debra Leigh	1/8	F	01-08-66	El Paso, Texas		
1338	Rachel	1/8	F	12-13-70	El Paso, Texas		
1339	Everrette, Patricia Holguin	2/8	F	11-07-60	El Paso, Texas	464-41-1410	
1340	Andrea Lee	1/8	F	07-15-80	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1341	Fernandez, Elenor Aragon	3/8	F	05-30-55	Oxnard, California	549-92-0050	
1342	Darlene Marie	3/16	F	09-19-75	Camarco, California		
1343	Henry Lee Jr.	3/16	M	10-23-73	Port Huemene, California		
1344	Fierro, Martha Guerra	2/8	F	07-14-46	Ysleta, Texas	452-76-5469	
1345	Christine Marie	1/8	F	10-07-61	El Paso, Texas		
1346	Franco, Maria Villanueva	1/8	F		Ysleta, Texas		California
1347	Garcia, Alicia Duran	4/8	F	03-28-36	Las Cruces, New Mexico	525-70-8625	725 S. San Pedro, Las Cruces, NM
1348	Margaret	2/8	F				
1349	Martha	2/8	F				
1350	Garcia, Arturo	2/8	M	04-21-47	Las Cruces, New Mexico	585-22-2400	2126½ Gally Dr. Tracy, CA
1351	Connie Ann	1/8	F	08-22-74			
1352	Florence Belen	1/8	F	03-25-76	Manteca, California		
1353	Garcia, Edna Granillo	3/8	F	07-29-62	El Paso, Texas		
1354	Garcia, Leornardo Garcia	6/8	M	06-28-12	El Paso, Texas	451-05-2460	
1355	Elizabeth	3/8	F	08-13-57	El Paso, Texas	467-27-8838	
1356	Josue	3/8	M	05-13-62	El Paso, Texas		
1357	Romelia	3/8	F	12-13-65	El Paso, Texas		
1358	Esequiel	3/8	M	09-21-67	El Paso, Texas		
1359	Garza, Elvira Guerra	4/8	F	04-24-22	San Fernando, California		2113 N. Houston, Ft. Worth, TX
1360	Beatrice	2/8	F	12-22-43	Ysleta, Texas		
1361	Hector	2/8	M	06-28-45	Ysleta, Texas		
1362	Norman	2/8	M	08-16-52	Ysleta, Texas	462-88-2759	
1363	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1364	Gold, Manuela Lopez	3/16	F	04-18-57	Los Angeles, California	463-19-6223	
1365	Gomez, Carmen Holguin	4/8	F	10-24-32	El Paso, Texas	455-46-5320	
1366	Estella	2/8	F	03-26-51	El Paso, Texas		
1367	Manuel	2/8	M	07-13-52	El Paso, Texas		
1368	Roberto	2/8	M	08-18-35	El Paso, Texas		
1369	Rafael Jr.	2/8	M	08-18-64	El Paso, Texas		
1370	David	2/8	M	03-06-69	El Paso, Texas		
1371	Consuelo	2/8	F	11-20-56	El Paso, Texas		
1372	Gomez, Emma Maria	4/8	F	11-22-62	El Paso, Texas	459-39-8399	
1373	Melissa	2/8	F	03-30-79	El Paso, Texas		
1374	Jessica	2/8	F		El Paso, Texas		
1375	Gomez, Engracia Holguin	8/8	F	02-26-32	Ysleta, Texas		
1376	Jose	4/8	M	05-18-52	Ysleta, Texas		
1377	Luis Antonio	4/8	M	07-18-54	El Paso, Texas		
1378	Maria Magdalena	4/8	F	03-30-58	El Paso, Texas		
1379	Francisco	4/8	M	04-29-59	El Paso, Texas		
1380	Patricia	4/8	F	05-10-60	El Paso, Texas		
1381	Rita	4/8	F	08-01-65	El Paso, Texas		
1382	Linda	4/8	F	04-09-68	El Paso, Texas		
1383	Ricardo	4/8	M	12-20-69	El Paso, Texas		
1384	Gomez, Jose Arturo Holguin	4/8	M	09-29-55	El Paso, Texas	462-96-2118	
1385	Margarita Munoz (spouse)	1/8	F	10-05-44	El Paso, Texas	463-70-8119	
1386	Cindy Munoz	5/16	F	08-01-77	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1387	Gonzales, Benedicto	2/8	M	05-09-21	San Elizario, Texas		
1388	Graciela	1/8	F	08-26-70	El Paso, Texas		
1389	Mario	1/8	M	01-66			
1390	Patricia	1/8	F				
1391	Gonzales, Carmen Apodaca	11/16	F	07-25-38	Las Cruces, New Mexico	525-76-3706	
1392	Teresa Nemedihilda	11/32	F	08-13-57	Buckeye, Arizona	525-17-2700	
1393	Beatrice Emilia	11/32	F	04-04-58	Phoenix, Arizona	585-92-3961	
1394	Carlos Antonio	11/32	M	03-10-59	Las Cruces, New Mexico	525-04-6010	
1395	Maria de los Angeles	11/32	F	05-06-60	Las Cruces, New Mexico	525-21-2646	
1396	Juanita	11/32	F	05-07-61	Las Cruces, New Mexico	525-21-2633	
1397	Jose Santiago	11/32	M	06-16-64	Las Cruces, New Mexico		
1398	Gonzales, Engracia Rojas	2/8	F	01-13-30	Ysleta, Texas		
1399	Edwardo Ramon	1/8	M	09-17-50	El Paso, Texas		
1400	Yolanda	1/8	F	12-28-52	Ysleta, Texas		
1401	Gerardo	1/8	M	05-20-62	El Paso, Texas		
1402	Gonzales, Herlinda Hernandez	2/8	F	05-28-58	Ysleta, Texas	465-13-7833	
1403	Chimalee Chanteu	1/8	F	02-21-78	El Paso, Texas		
1404	Gilbert Jr.	1/8	M				
1405	Gonzales, Irene Granillo	2/8	F	05-20-53	El Paso, Texas	457-98-4942	
1406	Pedro Jr.	1/8	M				
1407	Adrian	1/8	M	05-08-76	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1408	Gonzales, Jose Alvidrez	2/8	M	10-18-33	Ysleta, Texas	461-42-6476	
1409	Javier	1/8	M	10-06-57	Ysleta, Texas		
1410	Imelda G. Ramirez	1/8	F	01-14-59	Ysleta, Texas		
1411	Irene	1/8	F	01-12-61	Ysleta, Texas		
1412	Daniel	1/8	M	05-08-62	Ysleta, Texas		
1413	Bernardo	1/8	M	12-13-63	Ysleta, Texas		
1414	Juanita	1/8	M	11-04-66	Ysleta, Texas		
1415	Rosario	1/8	F	07-18-68	Ysleta, Texas		
1416	Carmelita	1/8	F	04-29-71	Ysleta, Texas		
1417	Gonzales, Manuela Alejo	2/8	F	10-06-10	Ysleta, Texas	464-28-9277	
1418	Angelina Jurado	1/8	F	11-20-53	El Paso, Texas		
1419	Irene Martin	1/8	F	04-13-49	El Paso. Texas		
1420	Gonzales, Maria Candelaria	4/8	F	11-29-50	Las Cruces, New Mexico	526-86-3516	3713 E. Acoma, Phoenix, AZ
1421	Victoria	2/8	F	08-17-77	Phoenix, Arizona		
1422	Vanessa	2/8	F	10-18-74	Phoenix, Arizona		
1423	Gonzales, Maria Ester	3/8	F	12-03-63	El Paso, Texas		
1424	Gonzales, Maria M.	2/8	F	02-22-16	Texas		5145 Borland Rd., L.A., CA
1425	Gonzales, Yolanda Rodela	5/16	F	12-15-58	El Paso, Texas	467-35-87[illegible]	
1426	Elizabeth	5/32	F	10-25-79	El Paso, Texas		
1427	Granillo, Angelina Parra	6/8	F	03-17-43	Ysleta, Texas	454-80-2411	
1428	Alfredo	3/8	M	04-30-66	El Paso, Texas		
1429	Sylvia Annette	3/8	F	08-18-69	El Paso, Texas		
1430	Norma Patricia	3/8	F	03-21-77	El Paso, Texas		
1431	Yvonne	3/8	F	07-29-73	El Paso, Texas		
1432	Lydia	3/8	F	12-30-75	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER		ADDRESS
	Granillo, Angelina (cont'd)							
1433	Angel	3/8	M	11-22-80	El Paso, Texas			
1434	Granillo, Antonio Sanchez	4/8	M	07-08-55	Ysleta, Texas	569-96-8285		
1435	Granillo, Carmen Aquiar	8/8	F	01-24-40	Ysleta, Texas	465-23-2202		
1436	Isidro Ramirez (spouse)	3/8	M		Ysleta, Texas			
1437	Hector Ramirez	11/16	M	01-25-63	Ysleta, Texas			
1438	Marta Ramirez	11/16	F	02-06-64	Ysleta, Texas			
1439	Manuel Ramirez	11/16	M	01-18-67	Ysleta, Texas			
1440	Sylvia Ramirez	11/16	F	01-16-77	Ysleta, Texas			
1441	Granillo, Concepcion Sanchez	4/8	M	04-14-45	Ysleta, Texas	460-68-1009		
1442	Granillo, Jaime	11/16	M	01-05-62	El Paso, Texas	451-33-2649		
1443	Carmen	11/32	F	09-02-78	Juarez, Chihuahua			
1444	Granillo, Jose Granillo (deceased)	8/8	M	05-04-1900	Ysleta, Texas	454-24-9309		
1445	Granillo, Jose Trinidad	8/8	M	05-30-08	Ysleta, Texas	451-38-0406		
1446	Granillo, Josefina Carbajal	4/8	F	03-19-49	Ysleta, Texas	457-94-6900		
1447	Concepcion	4/8	M	07-22-71	Ysleta, Texas			
1448	Marca Juanita	4/8	F	01-22-73	El Paso, Texas	[illegible]		
1449	Granillo, Juan	4/8	M	11-22-38	Ysleta, Texas			
1450	Granillo, Julian de La O Sosa	2/8	M	01-08-52	Ysleta, Texas	454-96-0249		
1451	Julian Jr.	1/8	M	12-15-75	Ysleta, Texas			
1452	Sandra	1/8	F	06-06-77	El Paso, Texas			

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1453	Granillo, Luis (deceased)	2/8	M	03-27-53	Ysleta, Texas	454-96-2678	
1454	Lorenza	1/8	F	08-10-75	EL Paso, Texas		
1455	Antonia	1/8	F	06-13-78	El Paso, Texas		
1456	Granillo, Pablo Aquiar	6/8	M	04-11-33	Ysleta, Texas	450-56-9708	
1457	Granillo, Patricia De Haro	2/8	F	11-16-54	Ysleta, Texas	461-17-2510	
1458	Granillo, Ramon Sanchez Sr.	4/8	M	12-07-37	El Paso, Texas		
1459	Ramon Jr.	2/8	M	09-21-58	El Paso, Texas		
1460	Enrique	2/8	M	08-02-59	El Paso, Texas		
1461	Brenda	2/8	F	09-27-62	El Paso, Texas		
1462	Granillo, Reyes Sanchez	4/8	M	12-26-33	Ysleta, Texas		
1463	Granillo, Trinidad Jr. Sanchez	4/8	M	07-15-39	Ysleta, Texas	457-60-2100	
1464	Leticia	2/8	F	04-26-62	El Paso, Texas		
1465	Aniceto Johnny	2/8	M	11-26-73	El Paso, Texas		
1466	Griffin, Alma Joy Hernandez	2/8	F	11-14-44	El Paso, Texas	543-70-1366	
1467	Joseph Martin	1/8	M	11-28-71	El Paso, Texas		
1468	Vincent Lancelot	1/8	M	11-26-73	El Paso, Texas		
1469	Guerra, Anastacio Duran	4/8	M	05-01-04	El Paso, Texas	458-18-7758	
1470	Guerra, Bertha Guerra	2/8	F	11-08-34	El Paso, Texas	455-50-6597	
1471	Inda Denise	1/8	F	08-31-63	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1472	Guerra, Enrique	2/8	M	06-15-38	Ysleta, Texas	62-450-3174	
1473	Spetcie Doreen	1/8	F	02-11-64	Ysleta, Texas		
1474	Daniel Henry	1/8	M	07-07-66	Ysleta, Texas		
1475	Charles Roy	1/8	M	02-12-71	Ysleta, Texas		
1476	Guerra, Ernesto Duran	4/8	M	05-02-23	California		618 Allamos, Sacramento, CA
1477	Porfirio	2/8	M				
1478	Ernestina	2/8	F				
1479	Patricia	2/8	F				
1480	Sandra	2/8	F				
1481	Gurrola, Irene Duran	2/8	F	06-29-50	Ysleta, Texas	453-90-2536	
1482	Jose Gorgonio	1/8	M	04-01-73	El Paso, Texas		
1483	Aileen	1/8	F	06-21-70	El Paso, Texas		
1484	Corina	1/8	F	03-25-76	El Paso, Texas		
1485	Alvaro Jr.	1/8	M	01-25-72	El Paso, Texas		
1486	Gutierrez, Susana	5/8	F	04-10-53	El Paso, Texas		
1487	Samuel Luis Antonio Jr.	5/16	M	06-09-76	El Paso, Texas		
1488	Hart, Eloisa Duran	4/8	F	10-22-32	Las Cruces, New Mexico		2019 Evelyn, Las Cruces, NM
1489	Hernandez, Alberto Archuleta Jr.	3/16	M	05-16-59	El Paso, Texas	464-21-4902	
1490	Hernandez, Esperanza Munoz Pais	2/8	F	10-21-14	Ysleta, Texas		17017 Merit Ave. Gardena, CA
1491	Hernandez, Gloria Ruiz	3/8	F	04-12-51	El Paso, Texas	458-02-1080	
1492	Erik	3/16	M	06-16-79	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1493	Hernandez, Lucia Alvidrez	4/8	F	08-10-40	Ysleta, Texas	465-56-5139	
1494	Lorenza	1/8	F	04-21-61	El Paso, Texas		
1495	Rosalio	1/8	F	09-06-62	El Paso, Texas		
1496	Lydia	1/8	F	07-20-65	El Paso, Texas		
1497	Enrique Jr.	1/8	M	10-01-68	El Paso, Texas		
1498	Melissa	1/8	F	12-01-75	El Paso, Texas		
1499	Hernandez, Maria Juana G.	4/8	F	08-01-35	Ysleta, Texas	452-54-0729	
1500	Marisa	2/8	F	06-01-65	California		
1501	Ivonne	2/8	F	08-17-66	California		
1502	Erica Marie	2/8	F	07-24-73	El Paso, Texas		
1503	Hernandez, Martha Granillo	4/8	F	04-07-40	Ysleta, Texas		8893 Jay Lee Ave., Spring Valley CA 92077
1504	George Jr.	2/8	M	07-10-64	Ysleta, Texas		
1505	Efren G.	2/8	M	09-19-67	Ysleta, Texas		
1506	Steven	2/8	M				
1507	Hernandez, Rosa Holguin	4/8	F	05-27-40	El Paso, Texas	455-40-3690	
1508	Francisco	2/8	M	05-24-66	El Paso, Texas		
1509	Richard	2/8	M	06-02-69	El Paso, Texas		
1510	Daniel	2/8	M	10-27-70	El Paso, Texas		
1511	Hernandez, Teresa Archuleta	1/8	F	10-15-42	Ysleta, Texas		
1512	Frances	1/16	F	12-20-61	Ysleta, Texas		
1513	Linda	1/16	F	11-30-63	Ysleta, Texas		
1514	Steve	1/16	M	09-09-67	Ysleta, Texas		
1515	Ida	1/16	F				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1516	Hisa, Charles	2/8	M				
1517	Alicia	1/8	F	06-16-48	El Paso, Texas		
1518	Cecilia	1/8	F	02-04-54	El Paso, Texas		
1519	Victoria	1/8	F	09-26-64	Apple Valley, California		
1520	Lori Padilla	1/8	F	07-11-57	Victorville, California		
1521	Hisa, Dickie	1/8	M	08-11-51	El Paso, Texas	545-92-9533	
1522	Hisa, Frank Kengie Silvas	2/8	M	07-23-35	Ysleta, Texas		
1523	Frank Kengie Jr.	1/8	M	01-26-73	Juarez		
1524	Carlos	1/8	M	07-23-74	El Paso, Texas		
1525	Susana	1/8	F	11-20-75	El Paso, Texas		
1526	Hisa, Juan Ramon	2/8	M	11-17-46	Ysleta, Texas	562-74-6402	
1527	Pricilla	1/8	F	07-24-67	Ysleta, Texas		
1528	Juan Ramon Jr.	1/8	M	08-13-68	El Paso, Texas		
1529	Patrick	1/8	M	12-20-75	El Paso, Texas		
1530	Holguin, Alberto A.	4/8	M	02-12-1900	Ysleta, Texas		
1531	Holguin, Armando Reyes	4/8	M	11-01-35	El Paso, Texas	463-58-0797	
1532	Holguin, Aurora	6/8	F	06-25-18	Ysleta, Texas		
1533	'Rogelio H. Hernandez	3/8	M				
1534	Holguin, Cecilia Piseno	4/8	F	12-21-58	El Paso, Texas	450-13-0382	
1535	Christina	2/8	F	12-11-76	El Paso, Texas		
1536	Ruben	2/8	M	03-19-78	El Paso, Texas		
1537	Jose Angel	2/8	M				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1538	Holguin, Francisco Paiz	6/8	M	08-22-20	El Paso, Texas		
1539	Larry	3/8	M				
1540	Holguin, Gloria Piseno	4/8	F	11-06-48	Ysleta, Texas	461-86-7480	
1541	Yvonne	2/8	F	03-06-68	El Paso, Texas		
1542	Veronica	2/8	F	08-06-73	El Paso, Texas		
1543	Holguin, Hector Martin	3/8	M	05-12-48	El Paso, Texas	465-84-9137	
1544	Chyne	3/16	M	01-30-74	El Paso, Texas		
1545	Bea	3/16	F	02-17-76	El Paso, Texas		
1546	Holguin, Isabel Paz	6/8	M	06-05-28			
1547	Holguin, Luciana Piseno	4/8	F	02-02-52	Ysleta, Texas		
1548	Shanda	2/8	F	01-19-75	Ysleta, Texas		
1549	Patrick	2/8	M				
1550	Holguin, Miguel Piseno	4/8	M	10-14-56	El Paso, Texas		
1551	Holguin, Manuel Paiz (deceased)	6/8	M				
1552	Holguin, Ponciano Piseno	4/8	M	10-10-53	Ysleta, Texas	462-06-1677	
1553	Gabriel	2/8	M	09-19-68	El Paso, Texas		
1554	Albert	2/8	M				
1555	Holguin, Robert Medina	3/8	M	11-12-43	Ysleta, Texas	460-66-9891	
1556	Renee Lee	3/16	M	09-19-68	El Paso, Texas		
1557	Robert Jr.	3/16	M	03-18-64	El Paso, Texas		
1558	Holguin, Trinidad Pedraza	2/8	M	04-25-02			

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1559	Ituarte, Maria Lillian Lopez	2/8	F	11-26-46	El Paso, Texas	449-74-8395	
1560	John Jr.	1/8	M	05-07-64	L. A. California	559-08-7945	
1561	Robert	1/8	M	07-15-71	California		
1562	Armando	1/8	M	11-12-63	California	559-08-7928	
1563	Jaramillo, Guadalupe Garcia	2/8	F	08-29-46	Las Cruces, New Mexico	458-02-0009	
1564	Nicolas Mario	1/8	M	07-03-65	Las Cruces, New Mexico		
1565	Cynthia Geneva	1/8	F	06-11-66	Las Cruces, New Mexico		
1566	Jimenez, Olivia Ortiz	4/8	F	09-16-42	El Paso, Texas	453-70-4688	
1567	Hector (deceased)	2/8	M	10-03-60	El Paso, Texas		
1568	Sylvia	2/8	F	09-27-61	El Paso, Texas		
1569	Anthony	2/8	M	08-07-63	El Paso, Texas		
1570	Jurado, Elmo	1/8	M	06-04-56	El Paso, Texas		
1571	Jurado, Ma Elena Luna	2/8	F	10-27-34	Ysleta, Texas		
1572	Nora	1/8	F	01-28-66	Ysleta, Texas		
1573	Dora	1/8	F	10-02-68	Ysleta, Texas		
1574	Eva	1/8	F	09-27-60	Ysleta, Texas		
1575	Irma	1/8	F	04-16-55	Ysleta, Texas		
1576	Kelly, Ofelia Mares	1/8 ✓	F	07-03-28	Los Angeles, California		509 N. Cambell, Alexambra, CA
1577	Knox, Elvira Valdez	4/8 ✓	F	02-05-11	Toyah, Texas	458-18-6696	
1578	Lazos, Margarita Carbajal	3/8 ✓	F	12-30-44	Tortugas, New Mexico		P. O. Box 571, Las Cruces, NM
1579	Delia	3/16 ✓	F	09-19-70	New Mexico		
1580	Sonia	3/16 ✓	F	05-17-73	New Mexico		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1581	Loera, Arturo	2/8	M	08-07-59	Ysleta, Texas	466-19-5096	
1582	Guadalupe Carbajal (spouse)	3/8	F	12-12-57	Ysleta, Texas	460-25-2140	
1583	Adrian	5/16	M	12-18-76	El Paso, Texas		
1584	Loera, Guadalupe Holguin	4/8	M	10-01-33	Ysleta, Texas		
1585	Jesicca	2/8	F	02-07-77	El Paso, Texas		
1586	Loera, Roberto Holguin	4/8	M	01-15-42	Ysleta, Texas		
1587	Jesus	2/8	M	07-02-64	Ysleta, Texas		
1588	Ma Victoria	2/8	F	02-27-66	Ysleta, Texas		
1589	Loera, Rosa Maria Holguin	8/8	F	03-28-12	Ysleta, Texas	465-29-3242	
1590	Loera, Tomas Sr.	4/8	M	03-07-31	Ysleta, Texas	450-44-8900	
1591	Javier	2/8	M	08-30-56	Ysleta, Texas		
1592	Sergio	2/8	M	12-28-63	Ysleta, Texas		
1593	Ricardo	2/8	M	05-04-65	Ysleta, Texas		
1594	Loera, Tomas Jr.	2/8	M	10-09-57		458-21-2838	
1595	Ana Maria Rodela (spouse)	5/16	F	04-15-61	Ysleta, Texas		
1596	Lopez, Alicia Munoz	1/8	F	09-24-53	Ysleta, Texas	426-06-3081	
1597	Lopez, Anita Sanchez	2/8	F	12-22-46	Ysleta, Texas	461-74-1597	
1598	Leroy	1/8	M	10-16-74	El Paso, Texas		
1599	Johnny Jr.	1/8	M	09-14-71	El Paso, Texas		
1600	Lopez, Armando Archuleta	3/16	M	10-01-58	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1601	Lopez, Aurora Pedraza	6/8	F	12-20-45	Ysleta, Texas	456-72-9098	
1602	Marian Juarez	3/8	F	11-29-64	Ysleta, Texas		
1603	Manuel Juarez Jr.	3/8	M	10-09-65	Ysleta, Texas		
1604	Samuel Juarez	3/8	M	07-19-69	El Paso, Texas		
1605	Lopez, Natalia Luna	2/8	F	03-31-31	Ysleta, Texas	462-40-7487	
1606	Ruben Guadalupe	1/8	M	12-12-58	El Paso, Texas		
1607	Samuel	1/8	M	09-19-57	El Paso, Texas		
1608	Jose Roberto	1/8	M	03-13-62	El Paso, Texas		
1609	Rosemary	1/8	F	07-21-64	El Paso, Texas		
1610	Eduardo	1/8	M	01-19-66	El Paso, Texas		
1611	Teresa	1/8	F	08-29-67	El Paso, Texas		
1612	Ramon	1/8	M	07-22-55	El Paso, Texas		
1613	Lozano, Eloisa Rodela	2/8	F	05-21-92	El Paso, Texas		
1614	Lozano, Sylvia Carbajal	3/16	F	05-30-54	New Mexico	585-68-1015	
1615	Lujan, Gloria Jean Serrano	2/8	F	12-20-41	El Paso, Texas	450-64-7867	
1616	Yvette	1/8	F	04-09-67	El Paso, Texas		
1617	Lawrence	1/8	M	08-09-68	El Paso, Texas		
1618	Luna, Carmen Ortiz	4/8	F	09-26-11	Ysleta, Texas		
1619	Luna, Ramon Ortiz	2/8	M	08-29-36	Ysleta, Texas		
1620	Luna, Rodolfo Ortiz	2/8	M	11-09-29	Ysleta, Texas		
1621	Rodolfo Jr.	1/8	M	08-18-53	Ysleta, Texas		
1622	Eloy	1/8	M	04-25-57	Ysleta, Texas		
1623	Faviola	1/8	F				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS	
1624	Luna, Simon Ortiz	2/8	M	07-16-38	Ysleta, Texas		San Fernando, California	
1625	McCowan, Mary Ernestina Duran	2/8	F	05-28-44	Las Cruces, New Mexico	529-64-2858 585-18-8559		
1626	Tomas Benton	1/8				601-07-5002		
1627	Madrigal, Elvia Serrano	2/8	F	09-18-43	El Paso, Texas			
1628	Dino	1/8	M	11-18-73	El Paso, Texas			
1629	Eric	1/8	M	05-13-69	El Paso, Texas			
1630	Celina	1/8	F	01-09-75	El Paso, Texas			
1631	Maestas, Mary Frances Ramirez	4/8	F	06-07-48	Las Cruces, New Mexico	585-22-0408	3187 Ave. De San Marcos,	Santa Fe NM
1632	Monica Felice	2/8	F	04-24-76	Las Cruces, New Mexico			
1633	Mah, Juanita Dorothy Duran	4/8	F	02-06-51	Las Cruces, New Mexico			
1634	Ashlee Leo	2/8	M	02-16-80	Arizona	526-89-8182	1711 Sycamore, Mesa, AZ	
1635	Maldonado, Benjamin Carbajal	2/8	M	12-12-20	El Paso, Texas	458-18-7569		
1636	Juan	1/8	M	02-11-65	Juarez, Chihuahua			
1637	Alfredo	1/8	M	12-17-66	Juarez, Chihuahua			
1638	Felisa	1/8	F	01-13-64	Juarez, Chihuahua			
1639	Norma	1/8	F	07-19-62	Juarez, Chihuahua			
1640	Cutberto	1/8	M	04-30-59	Juarez, Mexico			
1641	Mares, Carmen Pedraza	2/8	F	07-14-03	El Paso, Texas	542-12-8206	209 N. Townsend, LA, CA	
1642	Marquez, Bertha Alicia	2/8	F	01-29-52	Juarez, Chihuahua	462-41-9461		
1643	Jorge Humberto	1/8	M	05-12-75	Juarez, Chihuahua			
1644	Marquez, Ramon	4/8	M	09-20-1910	San Elizario, Texas			
1645	Martinez, Emilia Carbajal	2/8	F				470 Atkinson, Shafter, CA	

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BITH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1646	Martinez, Teresa Maria Cruz	2/8	F	08-07-56	EL Paso, Texas	455-21-5619	
1647	Gloria Ann	1/8	F	08-19-76	El Paso, Texas		
1648	Ruben Jr.	1/8	M	03-16-74	El Paso, Texas		
1649	Tricia	1/8	F				
1650	Misquez, Rosa Maria Duran	2/8	F	02-28-59	Ysleta, Texas	455-25-7839	
1651	Esmeralda Duran	1/8	F	09-04-76	Ysleta, Texas		
1652	Francisco Duran	1/8	M	08-07-80	El Paso, Texas		
1653	Mitchell, Celia Aquiar	2/8	F	02-04-46	Deming, New Mexico	585-18-4559	Box 572, Arizona
1654	Katchee Lee	1/8	F	07-24-72	Ganado, Arizona		
1655	Molina, Gabriela Mares	1/8	F	06-06-31	Los Angeles, California		
1656	Molinar, Dolores Gonzales	3/8	F	03-14-48	Las Cruces, New Mexico		P. O. Box 72, Mesilla Park, NM
1657	Reymundo Jr.	3/16	M	09-05-69			
1658	Michael	3/16	M	08-04-71			
1659	Montelongo, Rosalia Granillo (Deceased)	2/8	F	12-01-52	Ysleta, Texas		
1660	Montoya, Mary Lou	1/8	F	03-16-55			
1661	Morales, Catalina R.	2/8.	F	10-05-43	El Paso, Texas	462-72-8334	
1662	Freddy	1/8	M	07-24-69	El Paso, Texas		
1663	Christy	1/8	F	02-05-74	El Paso, Texas		
1664	Kathy	1/8	F	09-04-67	El Paso, Texas		
1665	Morales, Elvira Duran	3/8	F	12-09-34	Ysleta, Texas	453-84-7334	
1666	Walter	3/16	M	12-27-69	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1667	Morales, Gilberto	1/16	M	11-21-57	Ysleta, Texas	457-19-0854	
1668	Gloria Maria P. Rojas (spouse)	1/8	F	03-21-57	Ysleta, Texas		
1669	Barbara Ann	5/32	F	02-03-82	Ysleta, Texas	466-94-4669	
1670	Sandra Marie	5/32	F	12-25-80	Ysleta, Texas	452-55-1694	
1671	Morales, Maria Encarnacion	4/8	F	02-16-13	Ysleta, Texas	458-44-0923	
1672	Morales, Maria Garcia	4/8	F	07-10-28	Las Cruces, New Mexico		720 W. Las Cruces
1673	Ernestina G. Morales	2/8					
1674	Gracie M. Rios	2/8					
1675	Viola M. Romero	2/8					
1676	Freddy J. Morales	2/8					
1677	Virginia M. Perez	2/8					
1678	Moreno, Enriqueta Trujillo	6/8	F	04-23-28	Ysleta, Texas		
1679	Enrique	3/8	M	04-25-49	Ysleta, Texas		
1680	Jose Antonio	3/8	M	05-31-47	Ysleta, Texas		
1681	Pedro Moreno	3/8	M	05-20-48	Ysleta, Texas		
1682	Irene Moreno	3/8	F	07-04-56	Ysleta, Texas		
1683	Moreno, Rosa M. Ortiz	4/8	F	08-29-39	Ysleta, Texas		911 Watson, Willington, CA
1684	Fernando	2/8	M	03-18-60	El Paso, Texas		
1685	Juan Jr.	2/8	M	08-29-62	El Paso, Texas		
1686	Christopher	2/8	M	01-24-73	Harbor City, California		
1687	Muniz, Aurora Carbajal	6/8	F	03-26-33	Ysleta, Texas		11004 San Fernando, California
1688	Gloria	3/8	F				
1689	Teresa	3/8	F				
1690	Jose A.	3/8	M				
1691	Frankie	3/8	M				
1692	Olga	3/8	F				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
	Munoz, Aurora Carbajal (cont'd)						
1693	Miguel	3/8	M				
1694	Ruben	3/8	M				
1695	Carmen	3/8	F	12-03-60	El Paso, Texas	545-11-2385	210 Starling Rd., Bakersfield CA 93307
1696	Jorge	3/8	M				
1697	Sammy	3/8	M				
1698	Christin	3/8	F				
1699	Munoz, Antonio Corona	1/8	M	01-14-48	Ysleta, Texas	458-84-4858	
1700	Munoz, Eloy Garcia	1/8	M	06-28-59	El Paso, Texas	462-23-7685	
1701	Munoz, Frank Hernandez	2/8	M	04-30-30	Ysleta, Texas		
1702	Randolph Lee	1/8	M	04-30-52	El Paso, Texas		
1703	Sandra Jean	1/8	F	04-18-55	El Paso, Texas		
1704	Geraldine Kay	1/8	F	06-17-57	El Paso, Texas		
1705	David Anthony	1/8	M	10-07-67	El Paso, Texas		
1706	Munoz, Hector Sr.	1/8	M	05-20-43	El Paso, Texas	450-68-6840	
1707	Munoz, Manuel Hernandez	2/8	M	05-30-32	Ysleta, Texas		
1708	Michael Larry	1/8	M	01-04-55	El Paso, Texas		
1709	Darlene	1/8	F	01-07-56	El Paso, Texas		
1710	Dianne	1/8	F	10-15-58	El Paso, Texas		
1711	Sylvia Lynne	1/8	F	12-14-59	El Paso, Texas		
1712	Munoz, Ramon Corral	1/8	M	04-10-37	El Paso, Texas	455-58-6545	
1713	Munoz, Ronald Errol	1/8	M	09-20-57	El Paso, Texas		
1714	Munoz, Vicente Corona Jr.	1/8	M	01-22-51	El Paso, Texas	452-94-7644	

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1715	Munoz, Vicente Miranda	2/8	M	01-24-23	Las Cruces, New Mexico	457-20-2903	
1716	Debra Lourdez	1/8	F	08-09-55	El Paso, Texas		
1717	Carlos	1/8	M				
1718	Navarrete, Teresa Ruedas	2/8	F	04-05-38	El Paso, Texas	459-56-5448	12412 Greene Ave., #1 LA, CA
1719	Dario	1/8	M	12-10-60	El Paso, Texas	571-59-9613	
1720	Betty Ann	1/8	F	07-31-63	El Paso, Texas	560-47-6436	
1721	Steve	1/8	M	09-16-64	El Paso, Texas		
1722	Frank	1/8	M	05-14-66	Los Angeles, California		
1723	Ochoa, Gloria Munoz	2/8	F	02-28-29	El Paso, Texas	462-40-5587	
1724	Robert Ernie	1/8	M	08-09-53	El Paso, Texas		
1725	Valarie Gail	1/8	F	02-07-55	El Paso, Texas		
1726	Yvonne Elia	1/8	F	10-09-58	El Paso, Texas		
1727	James Michael	1/8	M	01-10-68	El Paso, Texas		
1728	Ortiz, Adalberto Carbajal	2/8	M	12-04-03	San Elizario, Texas	563-42-6572	704 Del Mar, Livermore, CA
1729	Leslie J. Ortiz	1/8	F				
1730	Ortiz, Armando C.	2/8	M	01-04-32	Ysleta, Texas		
1731	Ortiz, Armando Paiz	4/8	M	01-24-45	Ysleta, Texas	453-70-4876	
1732	Michael	2/8	M	03-11-75	El Paso, Texas		
1733	Judas Armando	2/8	M	03-15-71	El Paso, Texas		
1734	Joseph	2/8	M	08-27-76	El Paso, Texas		
1735	Judy	2/8	F	08-31-77	El Paso, Texas		
1736	Ortiz, Elodia C.	2/8	F	01-02-36	Morenci, Arizona		
1737	Ortiz, Miguel Tapia Jr.	4/8	M	03-20-06	Ysleta, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1738	Ortiz, Miguel III	2/8	M	09-29-30	Yaleta, Texas	465-34-4063	3611 Pine, Cosmo Valley, CA
1739	Edmund	1/8	M	07-28-54	California		
1740	Michael	1/8	M	03-12-52	California		
1741	Vicki	1/8	F	05-05-58			
1742	Ortiz, Refugio Paiz	4/8	M	09-12-40	Yaleta, Texas	450-64-9414	
1743	Roberto	2/8	M	08-27-64	El Paso, Texas		
1744	Raymond	2/8	M	07-08-72	El Paso, Texas		
1745	Maria Dolores	2/8	F	03-30-70	El Paso, Texas		
1746	Eddie	2/8	M	10-16-77	El Paso, Texas		
1747	Sandra	2/8	F	11-19-78	El Paso, Texas		
1748	Ortiz, Viola	2/8	F	05-17-47	El Paso, Texas		
1749	Padilla, Jesus Aquiar	2/8	M	06-09-54	Yaleta, Texas	456-04-4309	
1750	Jesus Jr.	1/8	M	04-29-78			
1751	Luis	1/8	M	05-02-69			
1752	Padilla, Ma Julieta Aquiar	4/8	F	05-20-27	Yaleta, Texas	456-02-8936	
1753	Luis	2/8	M				
1754	Daniel	2/8	M				
1755	Raul	2/8	M				
1756	Paiz, Enrique Parra	6/8	M	07-15-20	Yaleta, Texas	454-24-9444	
1757	Arturo	5/8	M	12-23-58	Yaleta, Texas		
1758	Amelia	5/8	F	11-23-65	El Paso, Texas		
1759	Antonia	5/8	F	06-13-60	El Paso, Texas		
1760	Elodia	5/8	F	11-03-62	Yaleta, Texas		
1761	Petra Dolores	5/8	F	08-22-63	Yaleta, Texas		
1762	Tomasa (spouse)	4/8	F	12-21-33			

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1763	Paiz, Leonel	5/8	M	01-23-59	Ysleta, Texas	454-29-6395	
1764	Leonel Jr.	5/16	M	08-11-77			
1765	Paiz, Micaela Bustamante	5/8	F	09-29-48	Ysleta, Texas	462-90-3544	
1766	Frank Kengie	5/16	M	06-07-70	El Paso, Texas		
1767	Daniel	5/16	M	08-08-71	El Paso, Texas		
1768	Jose	5/16	M	05-07-73	El Paso, Texas		
1769	Benjamin	5/16	M	10-30-75	El Paso, Texas		
1770	Ricardo	5/16	M	05-05-78	El Paso, Texas		
1771	Paiz, Ramona Parra	4/8	F	11-02-1900	Ysleta, Texas		
1772	Paz, Carlos	2/8	M	11-29-37	El Paso, Texas	457-60-1300	
1773	Paz, Daniel	2/8	M	09-18-44	Ysleta, Texas	463-70-8899	
1774	Paz, Fermina Carbajal	3/8	F	01-19-29	Tortugas, New Mexico		Box 4736 Tortugas, NM
1775	Rafael	3/16	M	08-23-61	Las Cruces, New Mexico	525-04-5300	
1776	Paz, Ramon Sr.	4/8	M	08-31-1893	Ysleta, Texas	722-14-1034	
1777	Paz, Ramon Jr.	2/8	M	08-31-23	El Paso, Texas	456-20-3546	
1778	Ray III	1/8	M	08-07-63	El Paso, Texas	457-17-9421	
1779	Charyl Ann Gomez	1/8	F	03-28-50	El Paso, Texas	457-17-9464	
1780	Paz, Ricardo	2/8	M	12-31-34	El Paso, Texas	456-52-8249	

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1781	Pedraza, Benny Sr.	2/8	M	09-26-70	Ysleta, New Mexico	568-03-4995	5650 Mesa Grove. Whittier, CA
1782	Benny Jr.	1/8	M	10-14-39	Los Angeles, California		
1783	Bobby	1/8	M				
1784	William	1/8	M	05-17-43	Los Angeles, California		
1785	Raymond	1/8.	M	03-27-45	Los Angeles, California		
1786	Linda	1/8	M	08-13-59	Los Angeles, California		
1787	Pedraza, Jose Guerra	6/8.	M	11-19-44	Ysleta, Texas		434 S. Record Ave. L.A.
1788	Irene	1/8	F	06-17-63	Los Angeles, California		
1789	Jose Ricardo	1/8	M	07-07-66	Ysleta, Texas		
1790	Pedraza, Jose Miguel Telles	4/8.	M	03-02-32	Ysleta, Texas	462-40-5588	
1791	Pedraza, Leo Masse (deceased)	2/8	M	08-29-00	Ysleta, Texas	563-07-4837	
1792	Carlos	1/8	M				
1793	Rodolfo	1/8	M				
1794	Leo Jr.	1/8	M	04-25-39			
1795	Genevia Lopez	1/8	F				
1796	Pedraza, Miguel Sr., Granillo	8/8	M	06-30-04	Ysleta, Texas	453-32-3330	
1797	Pedraza, Roberto Jr. Guerra	6/8	M	03-22-42	Ysleta, Texas	460-66-9849	
1798	Robert III	1/8	M	08-22-77	Ysleta, Texas		
1799	Pedraza, Roberto Sr., Granillo	8/8✓(deceased)	M	04-30-13	Ysleta, Texas		
1800	Pedraza, Simon Masse Sr.	2/8	M	10-22-13		568-03-4996	
1801	Yolanda Chavez	1/8	F				
1802	Elaine Marie	1/8	F				
1803	Perez, Ana Valdez	1/8	F	07-02-44	Big Springs, Texas	458-68-9394	1600 W. Felix Ft., Worth, TX

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1804	Perez, Mona Hernandez	3/16	F	10-16-63	El Paso, Texas	454-33-6024	
1805	Pimentel, Carmen	2/8	F	04-08-42	Ysleta, Texas	460-68-1258	
1806	Rosario Andrade	1/8	M	02-04-61			
1807	Paul Andrade	1/8	M	09-21-65			
1808	Peter Andrade	1/8	M	09-21-65			
1809	Imelda	1/8	F	12-10-66			
1810	Alberto	1/8	M	02-01-68			
1811	Ulysses	1/8	M	01-09-75			
1812	Angelica	1/8	F	06-18-74			
1813	Pineira, Cecilia Valdez	3/8	F	01-10-54	El Paso, Texas		5829 Dearborne Dr. El Paso 79924
1814	Isabel Marie	3/16	F				
1815	Quezada, Rita Bustamante	5/8	F	12-12-51	Ysleta, Texas	454-98-2534	
1816	Ricardo Jr.	5/16	M	07-30-70	El Paso, Texas		
1817	Daniel	5/16	M	02-20-72	El Paso, Texas		
1818	David	5/16	M	03-16-74	El Paso, Texas		
1819	Ramirez, Concepcion Duran	8/8	F	08-02-1911	Las Cruces, New Mexico	585-10-4131	635 N. San Pedro, Las Cruces, NM
1820	Ramirez, Enrique Paiz	3/8	M	06-08-43	Ysleta, Texas		7227 Yarmouth, Resida, Ca
1821	Ramirez, Vicente Teodoro	6/8	M	12-22-33	Las Cruces, New Mexico	525-56-3342	2094 Austin, Las Cruces, NM
1822	Florencio	2/8	M				
1823	Theodore	2/8	M				
1824	Steven	2/8	M				
1825	Mary C.	2/8	M				
1826	Vicente Jr.	2/8	M				
1827	Judith	2/8	F				
1828	Ruth	2/8	F				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1829	Ramos, Anita Hernandez ✓	1/8	F	01-17-30	Los Angeles, California		24109 Marbella Ave. Carson, LA
1830	Ramos, Dora Silvas	5/8	F	08-15-43	Ysleta, Texas	449-74-9074	
1831	Debra Cedillo	5/16	F	08-15-63	Ysleta, Texas		
1832	Jo Ann Cedillo	5/16	F	08-01-65	Ysleta, Texas		
1833	Nancy Marie Cedillo	5/16	F	10-03-68	El Paso, Texas		
1834	Michelle Cedillo	5/16	F				
1835	Asuncion Dora Cedillo	5/16	F	08-15-72	El Paso, Texas		
1836	Valarie Ramos	5/16	F				
1837	Rangel, Christina Luna	2/8	F	01-06-55	Ysleta, Texas		
1838	Ransom, Margarita Valdez	1/8	F	05-30-43	Big Springs, Texas	460-66-6304	
1839	Rede, Sylvia Valdez	2/8	F	12-16-39	Sante Fe, New Mexico		
1840	Reveles, Joseph Rito	3/8	M	02-08-48	California	461-74-0303	
1841	Reveles, Ma Alicia Guerra	2/8	F	01-30-36	El Paso, Texas	452-54-7034	424 S. Parton, Santa Ana, CA
1842	Mary Helen	1/8	F				
1843	Joseph	1/8	M				
1844	Margaret	1/6	F				
1845	Rita	1/8	F				
1846	Enedina	1/8	F				
1847	Ana Marie	1/8	F				
1848	Edward Eugene	1/8	M				
1849	Reyes, Isabel Silvas	5/8	F	06-05-46	Ysleta, Texas	467-88-5931	

2-1/8 3-5/ 1-5/ 2-2/8 1-3/8

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1850	Reyna, Consuelo H.	3/8	F	02-01-38	El Paso, Texas		
1851	Richardson, Elvira Ruedas	2/8	F	01-12-47	El Paso, Texas	455-74-9886	9891 Cedar Cir. Garden Grove, CA
1852	Norma Jean	1/8	F	06-11-75	Orange, California		
1853	Joana	1/8	F	04- -72	Orange, California		
1854	Teresa Marian	1/8	F	07-16-69	Orange, California		
1855	Rivadeneyra, Ma Magdelena Duran	4/8	F	07-12-42	Las Cruces, New Mexico	527-62-5805	815 N. 52nd St. Fenix, AZ 85008
1856	Tatiana Mari	2/8	F	03-21-75	Arizona	526-63-6041	
1857	Arianna Mari	2/8	F	11-02-70	Arizona	526-81-1007	
1858	John Raymond	2/8	M	01-31-81	Arizona	526-89-1644	
1859	Rodela, Armida Fedrico	5/16	F	11-24-55	El Paso, Texas	466-17-8276	
1860	Frances Marie	5/32	F	12-28	El Paso, Texas		
1861	Rodela, Consuelo Ramon	5/16	M	02-04-44	El Paso, Texas		California
1862	Rodela, Emilio Lopez	2/8	M	07-24-1896	Ysleta, Texas		
1863	Armida	1/8	F	06-02-28	Ysleta, Texas	451-38-3763	
1864	Alicia	1/8	F				
1865	Lorenzo	1/8	M				
1866	Ismael	1/8	M	09-14-29			
1867	Lucia	1/8	F				
1868	Rodela, Federico Jr.	5/16	M	06-20-42	Deming, New Mexico		
1869	Cynthia Denise	5/32	F	10-04-65	Venice, California		
1870	Catarina Teresa	5/32	F	11-05-66	Venice, California		
1871	Fred Michael	5/32	M	02-07-70	Granada Hills, California		
1872	Christine Margret	5/32	F	11-15-72	Granada Hills, California		
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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1873	Rodela, Ildefonso Granillo	5/8	M	01-23-26	Ysleta, Texas	462-28-9515	
1874	Ana Francisca	5/16	F	04-15-61	Ysleta, Texas		
1875	Ildefonso Jr.	5/16	M	09-13-65	Ysleta, Texas	466-37-4332	
1876	Ismael	5/16	M	09-13-65	Ysleta, Texas	466-37-4824	
1877	Elsa	5/16	F	03-02-57	Ysleta, Texas	466-17-1545	
1878	Rebecca Elisa (granddaughter)	5/32	F	15-77	Ysleta, Texas		
1879	Rodela, Lorenzo Borrego	1/8	M	08-10-21	El Paso, Texas		4800 Del Ray, Rd. Montgomery
1880	Rodela, Manuel B.	1/8	M	06-14-11	Morenci, Arizona	456-20-3883	
1881	Rodela, Ofelia Garcia	1/8	F	11-12-12	El Paso, Texas	462-40-6755	
1882	Rodela, Roberto Baeza	1/8	M	06-10-15	Morenci, Arizona	571-16-5042	
1883	Rodela, Simon B.	1/8	M	01-31-13	Morenci, Arizona		
1884	Rojas, Beatrice Guerra	2/8	F	09-03-41	Ysleta, Texas		
1885	Rojas, Francisco Albert Varela	1/8	M	04-02-56	Ysleta, Texas		
1886	Julie Rosa P.	1/8	F	07-22-63	Ysleta, Texas		
1887	Manuel Alberto P.	1/8	M	05-25-66	El Paso, Texas		
1888	Rebecca P.	1/8	F	11-18-67	Ysleta, Texas		
1889	Jose Luis P.	1/8	M	09-22-68	El Paso, Texas		
1890	Rojas, Schoonmaker Jesus Antonio	1/8	M	04-02-56	Ysleta, Texas		
1891	Rojas, Raul Gonzales	2/8	M	05-31-25	Ysleta, Texas		
1892	Rojas, Sylvia Patricia Pereda	1/8	F	12-31-60	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1893	Roldan, Letty Duran	2/8	F	01-10-60	Ysleta, Texas	455-25-9824	
1894	Rosales, Ina Ruiz	41 3/8	F	05-28-56	Ysleta, Texas	557-13-0018	
1895	Roberto Jr.	3/16	M	10-21-75	El Paso, Texas		
1896	Ruben	3/16	M				
1897	Ruedas, Antonio Carbajal	2/8	M	12-31-34	Ysleta, Texas	463-35-8812	
1898	Guadalupe	1/8		10-28-60	EL Paso, Texas		
1899	Francisco	1/8	M	12-14-63	El Paso, Texas		
1900	Antonio Sr.	1/8	M	01-07-69	El Paso, Texas		
1901	Ruedas, Enrique	2/8	M	04-26-51	Ysleta, Texas	454-96-2410	
1902	Sally	1/8	F				
1903	Ruedas, Juan	2/8	M	05-11-52	El Paso, Texas	454-96-1633	
1904	Ruedas, Martin Carbajal	2/8	M	12-19-44	Ysleta, Texas		
1905	Martin Jr.	1/8	M	06-04-74	El Paso, Texas		
1906	Juana	1/8	F				
1907	Ruedas, Ricardo	2/8	M	01-28-42	Ysleta, Texas	460-68-0225	
1908	Corina	1/8	F	05-03-74	El Paso, Texas		
1909	Ruedas, Tomas Jr.	2/8	M	08-08-39	El Paso, Texas	459-56-5996	
1910	Sylvia Marie	1/8	F	12-04-64	El Paso, Texas	453-49-1056	
1911	Anita	1/8	F	12-23-65	El Paso, Texas	452-49-0925	
1912	Robert Thomas	1/8	M	04-02-58	El Paso, Texas	453-49-0846	
1913	David	1/8	M	05-27-71	El Paso, Texas	453-49-0090	
1914	Ruiz, Alicia Granillo	6/8	F	09-22-30	Ysleta, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER		ADDRESS	
1915	Ruiz, Gilberto Granillo	3/8	M	03-30-51	Ysleta, Texas	455-92-2043			
1916	Antonia	3/16	F	10-12-72	El Paso, Texas				
1917	Veronica	3/16	F	10-29-73	El Paso, Texas				
1918	Annette	3/16	F	12-15-75	El Paso, Texas				
1919	Ruiz, Raul Oswaldo G.	3/8	M	01-23-50	Ysleta, Texas				
1920	Jose Albert	3/16	M	07-10-74	El Paso, Texas				
1921	Saenz, Cleofitas Holguin	8/8	F	02-03-35	Ysleta, Texas	462-54-0938			
1922	Ruben	4/8	M	12-21-56	Ysleta, Texas				
1923	Maria Luisa	4/8	F	04-16-58	Ysleta, Texas	463-19-2904			
1924	Teresa	4/8	F	07-25-62	Ysleta, Texas				
1925	Alfonso Jr.	4/8	M	10-10-63	Ysleta, Texas				
1926	Raymundo	4/8	M	10-05-67	Ysleta, Texas				
1927	Michael	4/8	M	09-20-70	El Paso, Texas				
1928	Oscar	4/8	M	04-13-74	El Paso, Texas				
1929	Saenz, Raquel Holguin	4/8	F	11-30-55	Ysleta, Texas				
1930	Rose Marie	2/8	F	04-02-72	El Paso, Texas				
1931	Saenz, Francisca	4/8	F	08-11-34	El Paso, Texas	450-62-4599			
1932	Leticia	2/8	F	06-27-58	El Paso, Texas				
1933	Steven	2/8	M	05-20-60	El Paso, Texas				
1934	Debra	2/8	F	01-06-62	El Paso, Texas				
1935	Ruben Jr.	2/8	M	01-24-69	El Paso, Texas				
1936	Salas, Margarita Valdez	2/8							
1937	Sanchez, Santos Granillo	4/8	M	11-01-24	Ysleta, Texas				
1938	Felix	2/8	M	05-18-49	Ysleta, Texas				
1939	Carlos	2/8	M	03-26-53	Ysleta, Texas				

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1940	Saucedo, Guadalupe Paz	2/8	F	11-07-28	El Paso, Texas	451-38-2470	
1941	Senclair, Concepcion Alvidrez	4/8	F	07-08-09	Cuadrilla, Texas		
1942	Senclair, Lloyd	2/8	M	01-09-32	Ysleta, Texas	461-42-6965	
1943	Arturo	1/8	M	09-04-58	Ysleta, Texas		
1944	Ricardo	1/8	M	07-17-59	Ysleta, Texas		
1945	Daniel	1/8	M	07-16-62	Ysleta, Texas		
1946	David	1/8	M	05-20-64	Ysleta, Texas		
1947	Virginia	1/8	F	06-04-66	Ysleta, Texas		
1948	Edward	1/8	M	02-16-69	Ysleta, Texas		
1949	Serrano, Herlinda Pedraza	4/8	F	11-20-23	Ysleta, Texas		
1950	Pasqual Jr.	2/8	M	11-20-50	EL Paso, Texas	465-84-7678	
1951	Pedro	2/8	M	11-20-50	El Paso, Texas		
1952	Sertuche, Sara Alvidrez	6/8	F	05-30-48	Ysleta, Texas	453-84-5120	
1953	Martha	3/8	F	05-24-71	Ysleta, Texas		
1954	Arlene	3/8	F	08-09-72	El Paso, Texas		
1955	Michael	3/8	M	09-09-74			
1956	Sierra, Jose Granillo	4/8	M	10-29-43	Ysleta, Texas	455-70-1474	
1957	Rebecca	2/8	F	03-16-65	Ysleta, Texas		
1958	Joe Jr.	2/8	M		El Paso, Texas		
1959	Yvette Marie	2/8	F	09-21-68	Ysleta, Texas		
1960	Luisa	2/8	F	09-30-71	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1961	Silva, Carmen E. Guerra	2/8	F	03-31-19	El Paso, Texas		2230 S. Olive St., Santa Ana, CA
1962	Ruth Irene	1/8	F				
1963	Linda Ann	1/8	F	05-05-56			
1964	Thomas Robert	1/8	M	03-04-34	El Paso, Texas		
1965	Rebecca	1/8	F	12-15-62	Orange		
1966	Ralph	1/8	M				
1967	Silvas, Albert	1/8	M	07-21-59	Ysleta, Texas		
1968	Silvas, Antonio Jr. Borunda	2/8	M	05-24-40	Ysleta, Texas	452-60-2448	
1969	Diana	1/8	F	10-30-62	Ysleta, Texas		
1970	Irma	1/8	F	12-20-63	Ysleta, Texas		
1971	Chris	1/8	M				
1972	Silvas, Antonio Sr. Granillo	4/8	M	06-05-08	Ysleta, Texas	458-18-8726	
1973	Salvador	2/8	M	11-23-68	El Paso, Texas		
1974	Gilberto	2/8	M	11-23-69	El Paso, Texas		
1975	Patricia	2/8	F	12-18-71	El Paso, Texas		
1976	Silvas, Luis Borunda	2/8	M	07-27-48	El Paso, Texas	465-76-2841	
1977	Luis Jr.	1/8	M	11-12-68	El Paso, Texas		
1978	Sammy	1/8	M	01-26-70	El Paso, Texas		
1979	Rosalinda	1/8	F		El Paso, Texas		
1980	Juanita	1/8	F		El Paso, Texas		
1981	Raul	1/8	M		El Paso, Texas		
1982	Albert	1/8	M		El Paso, Texas		
1983	Sandra	1/8	F		El Paso, Texas		
1984	Silvas, Manuel Tomas Paiz	5/8	M	09-22-30	Ysleta, Texas		
1985	Linda	5/16	F	08-21-65	Ysleta, Texas		
1986	Yvette	5/16	F		Ysleta, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
1987	Silvas, Manuel	1/8	M	08-02-59	Ysleta, Texas		
1988	Silvas, Isabel Borunda	2/8	F		Ysleta, Texas		Van Horn, Texas
1989	Clara	1/8	F	03-04-72	El Paso, Texas		
1990	Ernie Jr.	1/8	M				
1991	Silvas, Miguel Borunda	2/8	M	04-16-38	Ysleta, Texas	452-54-8059	
1992	Alfredo	1/8	M	11-14-63	Van Horn, Texas		
1993	Rosa Marie	1/8	F	01-25-65	El Paso, Texas		
1994	Irene	1/8	F	06-08-66	Van Horn, Texas		
1995	Miguel Jr.	1/8	M	06-12-68	Van Horn, Texas		
1996	Tomas	1/8	M	03-11-73	El Paso, Texas		
1997	Silvas, Pablo Jr.	5/8	M	03-10-49	Ysleta, Texas	467-78-5852	
1998	Marie Antonette	5/16	F	09-08-69	El Paso, Texas		
1999	Vicky Marie	5/16	F	06-18-72	El Paso, Texas		
2000	Mary Paula	5/16					
2001	Pablo Armando III	5/16	M	09-28-75	El Paso, Texas		
2002	Lorraine	5/16	F	80			
2003	Silvas, Pablo Granillo Sr.	4/8 (deceased)	M	07-30-12	Ysleta, Texas	463-10-9125	
2004	Herninia Paiz	6/8	F	11-14-18	Ysleta, Texas	467-78-5983	
2005	Maria Belia	5/8	F	08-13-51	Ysleta, Texas	461-90-7122	
2006	Mary Lou	5/8	F	11-01-55	Ysleta, Texas	463-13-1376	
2007	Silvas, Rodolfo Jr. Vasquez	1/8	M	03-05-56		465-02-5836	

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRHTDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
2008	Silvas, Rodolfo Borunda	2/8	M	12-05-33	Ysleta, Texas	458-48-7808	
2009	Gui'lermo	1/8	M	09-12-53	El Paso, Texas	466-50-8718	
2010	Gu dalupe	1/8	F	08-27-60	Ysleta, Texas		
2011	Concepcion	1/8	F	11-04-61	Ysleta, Texas	450-37-3496	
2012	Martin	1/8	M	04-27-64	El Paso, Texas		
2013	Roberto	1/8	M	04-05-66	El Paso, Texas		
2014	Consuelo	1/8	F	06-09-67	El Paso, Texas		
2015	Teresa	1/8	F	12-03-69	El Paso, Texas		
2016	Yolanda Beck	1/8	F	06-06-58	Ysleta, Texas		
2017	Singh, Herlinda Carbajal	6/8	F	04-30-37	Ysleta, Texas		El Monte, California
2018	Dolores	3/8	F	05-15-58			
2019	Larry	3/8	M	05-13-59			
2020	Annette	3/8	F	06-08-66			
2021	Solis, Ramona Duran	3/8	F	09-05-41	Ysleta, Texas	460-68-0083	
2022	Rebecca	3/16	F	04-24-69	California		
2023	Arturo	3/16	M	09-22-66			
2024	Lorenzo	3/16	M	08-09-67			
2025	Ricardo	3/16	M	06-02-71			
2026	Edward	3/16	M	04-12-72	California		
2027	Soto, Julia Cruz	2/8	F	09-20-44	Ysleta, Texas	543-70-1553	
2028	Irma Yolanda	1/8	F	07-01-64	Ysleta, Texas		
2029	Patricia Irene	1/8	F	07-02-66	Ysleta, Texas		
2030	Lisa	1/8	F	04-23-72	El Paso, Texas		
2031	Isaac Jr.	1/8	M	10-04-73	El Paso, Texas		
2032	Stetter, Ma Elena Auiar Tinney	2/8	F	07-10-51	Deming, New Mexico	585-40-0413	P. O. Box 1023, Demigg, NM
2033	William Frank Tinney	1/8	M	10-07-69	Deming, New Mexico		
2034	Deanra Lyn	1/8	F	10-15-78	Deming, New Mexico		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
2035	Tapia, Adela Paz	2/8	F	08-20-42	Ysleta, Texas	453-72-0572	
2036	Tapia, Jr. Arturo	1/8	M	05-21-40	Ysleta, Texas	457-60-2270	
2037	Tapia, Arturo Garcia Sr.	2/8	M	12-20-17	Ysleta, Texas	459-18-1187	
2038	Tapia, Ronald Lopez	1/8	M	12-16-46	El Paso, Texas	465-84-9170	
2039	Telles, Constancia Duran	3/8	F	07-02-39	Ysleta, Texas		California
2040	Torres, Concepcion Munoz	2/8	F	08-20-34	Ysleta, Texas	462-48-8075	
2041	Edmundo Jr.	1/8	M	10-19-52	El Paso, Texas		
2042	Rosa Linda	1/8	F	04-17-54	Ysleta, Texas		
2043	Elias	1/8	M	07-23-59	Ysleta, Texas		
2044	Ester	1/8	F	04-22-62	Ysleta, Texas		
2045	Eduardo	1/8	M	07-13-64	Ysleta, Texas		
2046	Teresa	1/8	F		Ysleta, Texas		
2047	Lori	1/8	F	01-29-51	EL Paso, Texas		
2048	Torres, Eloy	1/8	M	06-30-55	Ysleta, Texas		
2049	Trejo, Irma Gomez	4/8	F	09-05-50	Ysleta, Texas		
2050	Robert Jr.	2/8	M	10-19-70	El Paso, Texas		
2051	Jaime	2/8	M	03-26-73	El Paso, Texas		
2052	Trevino, Rosemary Apodaca	11/16	F	07-28-43	Las Cruces, New Mexico	585-32-5927	1007 E. Kansas, Las Cruces, NM 88001
2053	Sherri Ann	11/32	F	06-10-66	Las Cruces, New Mexico		
2054	Rudolph Martin	11/32	M	05-15-65	Houston, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
2055	Trujillo, Irene Aquiar	2/8	F	02-03-39	Deming New Mexico		9660 4th N.W. #21 Albuq. NM
2056	Rebecca Ann	1/8	F	08-08-56	Deming, New Mexico		
2057	Teresa	1/8	F	11-17-58	Deming, New Mexico		
2058	Rafael	1/8	M	01-15-64	Deming, New Mexico		
2059	Uribe, Lupe Pedraza	2/8	F	08-16-16	El Paso, Texas	569-07-3075	3555 Michigan, LA, CA
2060	Armando	1/8	M	08-25-47	Los Angeles, California	561-76-6767	
2061	Nancy	1/8	F	04-15-53	Los Angeles, California	573-88-2071	
2062	Beatrice	1/8	F	04-26-40	Los Angeles, California	563-98-1424	
2063	Valdez, Antonio Colmenero	4/8	M	06-12-44	Ysleta, Texas	456-86-5810	
2064	Antonio Jr.	2/8	M	01-03-68	El Paso, Texas		
2065	Toby	2/8	M		El Paso, Texas		
2066	Valdez, Aracelia Garcia	6/8	F	07-11-19	El Paso, Texas	455-74-7547	
2067	Rita	3/8	F	12-01-52	El Paso, Texas	462-16-2307	324 N. Moore St. #B Monterrey Park, CA 91756
2068	Celia	3/8	F	02-09-56	El Paso, Texas		211 Shay, La Puente, CA 91744
2069	Valdez, Dora G.	3/8	F	06-20-50	El Paso, Texas	453-90-4488	1511 Palm Unit G, San Gabriel, CA 91776
2070	Jay	3/16	M				
2071	Valdez, George Jr. Hernandez	2/8	M	04-23-41	Big Springs, Texas	450-50-9902	11915 Center Hills, Wheaton,
2072	Mathew James	1/8	M	10-29-65	Bremeton, Washington		
2073	Genevieve Ann	1/8	F	10-26-68	Bethesda, Maryland		
2074	Margarita Suzanne Sawicki	1/8	F	11-06-72	Bethesda, Maryland		
2075	Valdez, Gilberto	2/8	M	05-15-14	Toyah, Texas		3825 S. Main, Ft. Worth, TX
2076	Raymundo	1/8	M	12-07-40	Big Springs, Texas	463-60-6688	
2077	Valdez, Lucio Garcia	3/8	M	08-19-47	El Paso, Texas	465-76-3686	4626 Sunny Walk San Antonio, Texas 78217

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
2078	Valdez, Mariano Colmenero	4/8	M	11-24-41	Ysleta, Texas	452-66-9649	
2079	Valdez, Robert Colmenero	4/8	M	04-11-58	El Paso, Texas		
2080	Valdez, Santiago Sr.	4/8	M	07-24-33	Ysleta, Texas		
2081	Santiago Jr.	2/8	M	02-18-60	El Paso, Texas		
2082	Ma Lourdes	2/8	F	05-05-63	El Paso, Texas		
2083	Valdez, Teresa	4/8	F	04-29-40	Ysleta, Texas	456-66-5063	
2084	Valenzuela, Alejandra Paiz	6/8	F	05-15-23	Ysleta, Texas		
2085	Valles, Esperanza Ortiz	4/8	F	07-28-21	Ysleta, Texas		
2086	Alfonso	2/8	M	02-24-59	Ysleta, Texas		
2087	Valles, Jose Luis Jr.	2/8	M	09-16-77	El Paso, Texas		
2088	Regina Valles	1/8	F	05-28-76			
2089	Valles, Lorenzo Ortiz	2/8	M	08-29-52	Ysleta, Texas		
2090	Jo Ann	1/8	F	09-07-69	El Paso, Texas		
2091	Lorenzo Jr.	1/8	M	05-18-71	El Paso, Texas		
2092	Terry	1/8	F	09-22-76	El Paso, Texas		
2093	Lory	1/8	F	02-06-75	El Paso, TExas		
2094	Vasquez, Jovita	6/8	F	09-01-38	Ysleta, Texas		
2095	Maximo Jose	3/8	M	10-15-59	California		
2096	Raquel	3/8	F	07-24-62	Ysleta, Texas		
2097	Josue Sanchez	3/8	M	03--9-69	El Paso, Texas		
2098	Armando Duran Jr.	3/16	M	08-23-81	El Paso, Texas		
2099	Luis Jr. Sanchez	3/8	M	05-12-70	El Paso, Texas		

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ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRHT PLACE	SOCIAL SECURITY NUMBER	ADDRESS
2100	Vela, Grace Lopez	1/8	F	04-19-54	El Paso, Texas		
2101	Velasquez, Luna Corina	2/8	F	10-29-51	Ysleta, Texas		
2102	Velasquez, Irma Paiz	5/8	F	01-26-57	El Paso, Texas	464-19-9975	
2103	Roberto Jr.	5/16	M	12-27-75	Juarez		
2104	Rene	5/16	M	09-12-78			
2105	Villanueva, Tomasa Luna	2/8	F	01-13-33	Ysleta, Texas		
2106	Pedro	1/8		04-27-64	Ysleta, Texas		
2107	Rogelio	1/8	M	09-05-58	Ysleta, Texas		
2108	Carmen	1/8	F	04-04-63	Ysleta, Texas		
2109	Luis	1/8		10-09-65	Ysleta, Texas		
2110	Arturo	1/8	M	06-20-50	Fabens, Texas		
2111	Enrique Jr.	1/8	M	12-18-55	Ysleta, Texas		
2112	Gloria (Robles)	1/8	F	02-10-52	Ysleta, Texas		
2113	Villanueva, Yvonne Ruiz	3/8	F	12-24-58	El Paso, Texas	455-29-2980	
2114	Javier Jr.	3/16	M	09-25-75	El Paso, Texas		
2115	Cynthia	3/16	F	11-02-79	El Paso, Texas		
2116	Watson, Angelina Tapia	2/8	F	06-13-24	Ysleta, Texas	463-36-2217	
2117	Ivan L.	1/8	M	07-02-51	Ylseta, Texas		
2118	Watson, Richard Tapia	1/8	M	05-11-46	Ysleta, Texas	461-74-1291	
2119	Wood, David Pedraza	2/8	M	12-05-30	Deming, New Mexico	525-56-3679	
2120	Diane	1/8	F	09-12-58	Deming, New Mexico		
2121	Eddie	1/8	M	02-14-60	Deming, New Mexico	462-96-2118	
2122	Catherine	1/8	F	08-23-66	Las Cruces, New Mexico		

	Initials	Date
Prepared By		
Approved By		

#51

ROLL #	NAME	BLOOD QUANTUM	SEX	BIRTHDATE	BIRTH PLACE	SOCIAL SECURITY NUMBER	ADDRESS
2123	Zavala, Antonia Granillo	8/8	F	02-26-31	Ysleta, Texas	454-56-3067	
2124	Garcia, Florencia	4/8	F	08-09-30	Las Cruces, New Mexico		1605 Paxton, Las Cruces, NM

PREPARED

STATEMENT OF TOM DIAMOND
Before the Senate Select Committee on Indian Affairs

HEARINGS ON H.R. 1344

June 25, 1986

Mr. Chairman and Members of the Committee:

My name is Tom Diamond and I reside in El Paso, Texas. As an attorney, with other counsel, I represent both the Alabama-Coushatta Tribe of East Texas and the Ysleta del Sur Pueblo of West Texas. In 1967 and 1968, I represented the Tigua Indians of Ysleta del Sur in the passage of the Tiwa Indian Act, which extended federal recognition to the Ysleta Pueblo and permitted the Tigua Indians to go under State trusteeship in 1968. One of the duties I had in that respect was to provide transportation to Trinidad Granillo, Jose Granillo and Miguel Pedraza, three tribal elders who testified before the House Interior and Insular Affairs Committee. I also gave testimony before this Committee and was enormously pleased when Chairman Aspinal moved the bill onto the floor of the House without first going into executive session. This was done in the presence of the Indians and was a great tribute to their demeanor and appearance before the Committee.

Now that we are once again asking Congress to assist this Tribe, I am happy to tell you that the needs to be addressed are much different than they were some twenty years ago. At the time I first appeared before you, there was not a single Tigua Indian who had graduated from high school. Of course, none had ever enrolled in a college. Most of the children were dropping out of school by the 4th or 5th grade, many for the simple reason that they had no shoes to wear and were the constant target of jokes and harsh treatment by their fellow students. At that time, there was only one Indian who had been employed regularly on a full-time basis. He was Miguel Pedraza, the Tribal Governor, who drove a school bus for the Ysleta School District.

I will never forget when Dr. Dunbar from the Field Foundation came to Ysleta to visit the Indians to see if they couldn't lend some assistance to them. I met Dr. Dunbar and his wife at the airport and drove them to the House of the Cacique, Jose Granillo, having made an appointment with the Cacique to meet Dr. Dunbar. When we got there, the Cacique wasn't there. His brother advised me that the Cacique was hungry and had gone out into the desert looking for a rabbit. I was horrified that Dr. Dunbar had flown in from New York to see about giving the Indians some financial help and the Cacique had left to go hunting rabbits, so I apologized to Dr. Dunbar. He said that I should not worry, that he was going to see that we got money to provide shoes for the children and other immediate financial relief. He was impressed that in the 1960's a man was hungry enough to skip meeting with the head of a philanthropic organization. He recognized that this was a dire situation involving a proud group of people who were running out of time. Every Indian home at that time was in tax foreclosure except for the home of Miguel Pedraza. These were tiny adobe homes without water or electricity that the Indians had built themselves. They were located on small tracts that the Indians had purchased long ago, after having had their tribal lands stolen by the white Texans who flooded into El Paso County after the war with Mexico in 1846.

For a brief time between 1846 and 1850, the Tigua Indians were under the administration of Indian agent Calhoun, who was responsible for the New Mexico territory. Of course, both the United States and Texas were claiming this part of the State of Texas and it wasn't until the compact of 1850 that the federal claim was abandoned. With that abandonment, the Ysleta Pueblo was abandoned also and left to fend for itself. Despite the century of isolation and poverty that followed, the Tigua Indians benefitted in a way from this state of affairs: they were able to preserve their religion and their aboriginal form of government, which they still practice today.

The 1968 federal recognition and transfer of trusteeship to the State of Texas has been one of the more productive acts of government that I have seen. Today, almost all of the Pueblo's children are staying in school and most are graduating from high school. A number of Tigua students have attended college. The unemployment picture has brightened considerably, with many tribal members gainfully employed on a full-time basis. We have an adequate housing facility and a tourist facilty that is just beginning to show a profit. Tribal pride has had an amazing resurgence and it is wonderful to visit the Tigua Indian Community. Indeed, the Tigua Indians are now regarded as our number one cultural asset in El Paso.

Now, with such substantial progress evident on every side, and the possibility of self-sufficiency in view, the Tigua Indians are once again in peril. The Attorney General of Texas has ruled that Texas cannot extend assistance to Indians, as this is equivalent to discriminating in favor of a racial minority, which he feels is barred by by the Equal Rights Amendment to the Texas Constitution. This decision is being appealed, but on top of that, we are encountering an evermore difficult Texas Legislature with respect to appropriations and programs for Indian people. For example, in connection with the Alabama-Coushattas, the Texas Legislature adopted a budget to pay for State administrative salaries and expenses, but required that the Tribe supply the money from oil and gas revenues to sustain this budget. If this were to continue for very long, the effect would be that oil and gas revenues would go into maintaining State administrative positions. This is a cruel and callous joke on the Indians who helped Sam Houston win the War for Independence.

The only hope for a bright future for these tribes is to reaffiliate with the federal government and work with the existing federal program leading to self-determination. The lands of both Tribes need to be protected by federal law and insulated from the uncertainties that result from being at the mercy of the Texas Legislature and other elected State officials. I urge you to act favorably on H.R. 1344.

Respectfully submitted,

Tom Diamond

PUEBLO DE LA YSLETA DEL SUR

CHRONOLOGY AND RELATED HISTORICAL MATERIAL

(This is an abridged version of
an identically titled chronology
prepared by Tom Diamond in 1968)

10 June 1985

Prepared by:

NATIVE AMERICAN RIGHTS FUND
1506 Broadway
Boulder, CO 80302
303/447-8760

PUEBLO DE LA YSLETA DEL SUR

CHRONOLOGY AND RELATED HISTORICAL MATERIAL

I. BASKET MAKERS AND PUEBLO PERIODS

c. 1350 A.D. to 1700 A.D. - "Pueblo IV": This period of maximum expansion of Pueblo culture in New Mexico begins with a closer concentration of the Pueblos within their present locations. It includes the advent of the white man, the conquest of the Spanish and their attempt at Colonization and Christianization. The Pueblo revolt and removal of the Pueblos of Ysleta, Socorro and Senecu, as well as the seat of Spanish government to El Paso del Norte. It ends with the Spanish reconquest and subjection of the Pueblos.

c. 1700 A.D. to Present - "Pueblo V": Era of the present day Pueblos in New Mexico, Arizona and Texas.

II. SPANISH EXPLORATION AND COLONIZATION

June 5, 1581 - Fray Agustin Rodriguez and two other Franciscan Fathers and eight soldiers commanded by Capt. Francisco Chamuscado and Indian servants left San Bartholomae, Mexico, following the Rio Conchos north to the Rio Grande. Then upstream north to El Paso del Rio del Norte where they crossed near the site of present day El Paso and Juarez continuing northward along the river to the area of the Tiguas. All three frays met violent deaths after the soldiers returned to Mexico. Two of the priests were slain at the Tigua Pueblo of Puaray. They described the El Paso valley as:

> "a marsh valley extending for more than 8 leagues (24 miles), which was suitable for ranches and for the cultivation of anything that might be desired. We named in Los Valientes. We found it uninhabited." (The Rediscovery of New Mexico, Hammond & Rey, 1966).

After passing through the El Paso area, the expedition encountered the domain of the Piros centered about present day Socorro, New Mexico. They found the Piros at war with their Northern neighbor, the Tiguas. The Piros Indians were closely related to the Tiguas and spoke a language which was part of the same basic language family of the Tiwa being Tanoan. At that time the Tanoan speakers included in addition to the Tiwa and Piro, the Tewa, Towa, Tano and Tompiro. Today only the Tiwa, Tewa and Towa are spoken. These early Spaniards, in describing their first contact with the Tigua Indians, have left behind accounts of their custom, habit and dress which can still be recognized in the Tigua Pueblo at Ysleta, Texas. For example:

> "We entered the settlement, where the inhabitants gave us much corn. They showed us many ollas and other earthenware containers, richly painted, and brought quantities of calabashes and beans for us to eat. We took a little, so that they should not think we were greedy nor yet receive the impression that we did not want it; among themselves they consider it disparaging if one does not accept what is offered. One must take what they give, but after taking it may throw it away wherever he wishes. Should one throw it to the ground, they will not pick it up, through it may be something they can utilize. On the contrary, they will sooner let the thing rot where it is discarded. This is their practice. Thus, since we understood their custom, we took something of what they gave us. Moreover, we did this to get them into the habit of giving freely without being asked. Accordingly, they all brought what they could. The supply of corn tortillas, corn-flour gruel, calabashes, and beans which they brought was such that enough was left over every day to feed five hundred men. Part of this the natives carried for us. The women make tortillas similar to those of New Spain, and tortillas of ground beans, too. In these pueblos there are also houses of three and four stories, similar to the ones we had seen before; but the farther one goes into the interior the larger are the pueblos and the houses, and the more numerous the people.
>
> The way they build their houses, which are in blocks, is as follows: they burn the clay, build narrow walls, and make adobes for the doorways. The lumber used is pine or willows; and many rounded beams, ten and twelve feet long, are built into the houses. The natives have ladders by means of which they climb to their quarters. There are movable wooden ladders, for when the Indians retire at night, they pull them up to protect themselves against enemies since they are at war with one another.
>
> These people, like the others, wear clothing. I have decided to describe their attire here because, for barbarians, it is the best that has been found. It is as follows: (some of) the men cut their hair short and leave on top - I mean, on the crown of their heads, a sort of skull cap formed by their own hair, while others wear their hair long, to the shoulders, as the Indians of New Spain

formerly did. Some adorn themselves with pieces of colored cotton cloth three fourths of a vara in length and two thirds in width, with which they cover their privy parts. Over this they wear fastened at the shoulders, a blanket of the same material, decorated with many figures and colors, which reaches to their knees, like the clothes of the Mexicans. Some (in fact, most) wear cotton shirts, handpainted and embroidered, that are very pleasing. They use shoes, below the waist the women wear cotton skirts, colored and embroidered; and above, a blanket of the same material, figures and adorned like those used by the men. They adjust it after the fashion of Jewish women, and gird it with embroidered cotton sashes adorned with tassels. They comb their hair, which is worn long. (This costuming can be seen today in Ysleta, Texas).

These people are handsome and fair skinned. They are very industrious. Only the men attend to the work in the cornfields. The day hardly breaks before they go about with hoes in their hands. The women busy themselves only in the preparation of food, and in making and painting their pottery and chibubites (a pan for baking bread), in which they prepare their bread. These vessels are so excellent and delicate that the process of manufacture is worth watching; for they equal, and even surpass, the pottery made in Portugal. The women also make earthen jars for carrying and storing water. These are very large, and are covered with lids of the same material. There are millstones on which the natives grind their corn and other foods. These are similar to the millstones in New Spain, except that they are stationary; and the women, if they have daughters, make them do the grinding.

These Indians are very clean people. The men bear burdens, but not the women. The manner of carrying loads, sleeping, eating and sitting is the same as that of the Mexicans, for both men and women, except that they carry water in a different way. For this the Indians make and place on their heads a cushion of palm leaves, similar to those used in Old Castile, on top of which they place and carry the water jar. It is all very interesting.

The women part their hair in Spanish style. Some have light hair which is surprising. The girls do not leave their rooms except when permitted by their parents. They are very obedient. They marry early; judging by what we saw, the women are given husbands when seventeen years of age. A man has one wife and no more. The women are the ones who spin,

> sew, weave and paint. Some of the women, like the men, bathe frequently. Their baths are as good as those of New Spain.
>
> Their language is very easy to learn. They are the most domestic and industrious people and the best craftsmen found in New Spain. Had we brought along interpretors, some of the natives would have become Christians, because they are a very intelligent people and willing to serve." (The Rediscovery of New Mexico, Hammond & Rey, 1966).

1627 or 1628 - Isleta convent constructed by Fr. Salas (Vetancourt Cronica, pp. 302 & 311, Twitchill 1963: Vol. I., F.N., p. 375).

1670-75 - In the 1670's warfare with the Apaches largely brought on by Spanish exploitation of the Apache increased to the point where three Tigua mountain Pueblos, Chilili, Tajique and Cuarai and three Tompiro Pueblos, Jumancas, Abo and Tabira (also known as Humanas and Grand Quivera) were abandoned. The Tompiro survivors went to El Paso and the Tigua to Shee-e-huib-bac (Isleta). (Traditions still persist in Isleta, New Mexico and Ysleta, Texas that the Tiguas originated in the Manzano Plains of the Salina District) (Spicer, 1962: 161 et seq., Lummis 1966: pp. 307-8).

January 23, 1675 - Apaches surprised Senecu killing Fray Alunza Gil de Avila and most of the Senecu Indians. Survivors fled to Socorro and El Paso. The pueblo of Senecu (New Mexico) was never occupied again. The name lived on in the El Paso region at Senecu del Sur until the 20th Century. Senecu, New Mexico is now occupied by the New Mexico town of Saint Anthony (Twitchell, 1963: Vol. I, F.N., p. 231).

III. THE PUEBLO REVOLT

August 10, 1680 - Marks the date of the beginning of the Pueblo Revolt led by a Cacique, Pope of San Juan Pueblo, together with Taqu of San Juan, Xaca of Taos, and Francisco of San Ildefonso. At this time the governor and capitan-general of New Mexico was Don Antonio de Otermin. His headquarters were in the capital city of Santa Fe, and it was in this upper part of the Rio Grande that most Spanish colonists had settled. A second segment of Spaniards lived farther to the south on the Rio Abajo, as this portion of the Rio Grande was called. They were in charge of Alonso Garcia, lieutenant governor under Otermin. Their headquarters were in the vicinity of Isleta Pueblo and present day Albuquerque. Virtually all the Pueblo Indians of New Mexico with the exception of the southern Tiguas of Isleta Pueblo and the Piros rose in revolt against the Spanish. The Indians hoped to exterminate the approximately 2,500 Spaniards in their midst and they believed that if any survivors should escape their "allies," the Mansos at El Paso del Norte, would finish them off. (Twitchell, 1963: Vol. I, p. 356, et seq.).

August 11, 1680 - Governor Otermin and his people were completely surrounded at Santa Fe and communications between him and Garcia, to the south, was cut off. Garcia and his people took refuge in Isleta Pueblo. The Tiguas at Puaray, Sandia and Alameda joined in the Pueblo revolt, killing as many Spaniards as they could with the survivors in and near these three Pueblos falling back to Ysleta. (Hackett: XLIX).

August 13, 1680 - The refugees at Isleta, being greatly outnumbered by the Indians there, began to fear for their own safety. They had no word from Otermin at Santa Fe and assumed all there had been massacred. Adding to their anxiety was the fact that many of those Isleta Indians were going over to the other side because those of their own nation, Tiwas from the Pueblos of Alameda and Sandia, had joined the revolt. Also, others were preparing to do the same thing as evidenced by their receiving and sending emisarries to the rebels.

August 14, 1680 - Garcia and his refugees abandoned Isleta Pueblo heading south toward El Paso del Norte. They first came to the Piro village of Sevilleta, whose natives quickly abandoned their pueblo and moved on south with the Spaniards. (Hackett, 1942: LXXC).

August 24, 1680 - Garcia and his people were in Socorro, one of the Piros pueblos. Here again, the native Indians joined with them, perhaps being afraid since the northern pueblos had not invited them to join in the revolt. Even at Socorro Pueblo the Spanish found cause to worry as some of the Piros Indians had received a messenger from the rebels and hid him for three days. The result was that Garcia continued his retreat some 16 leagues south of Socorro to a place called Fray Cristobal. He was here on September 4. (Hackett, 1942: LXXC).

August 21, 1680 - In the meantime, Otermin had managed to withstand the uprising in the north, he and his group of refugees retreated southward from Santa Fe. Four hundred Spaniards had been killed, including 21 missionaries. There were 1,950 survivors. (Twitchell, 1963: Vol. I, p. 363).

August 25, 1680 - News of the rebellion was carried by a messenger from Garcia and Father Diego de Mendoza to Father Leyva Ayeta at the Mission in El Paso. (Hackett 1942: LXXC).

September 3, 1680 - Otermin arrives at Isleta Pueblo only to find the place totally deserted of Indians and Spaniards alike. Prior to revolt, Isleta had a population of 2,000. (Twitchill, 1963: Vol. I, F.N., p. 364).

September 13, 1680 - The two groups of Spanish and refugees were united at Fray Cristobal six leagues south of the last inhabited village of the Piros at Senecu, the site of present day San Antonio, New Mexico. The entire group then proceeded south to a temporary camp four leagues above El Paso del Norte on the east side of the Rio Grande, a place called La Salinta, possibly in the vicinity of present day Canutillo, where they remained camped from September 18th until October 9th. (Hughes, 1914: 315).

October 2, 1680 - While at La Salinta, a complete muster roll of the entire group was taken which indicates that 317 Christian Indians were included. Among these were Piros Indians from the pueblos of Sevilleta, Alamillo, Socorro and Senecu, as well as Tiwas from the pueblo of Isleta. (Hughes 1914: 315).

October 9, 1680 - The refugees had been moved and divided into three camps in the immediate vicinity of El Paso del Norte, on the opposite side of the river. These were known as San Lorenzo for Spanish refugees and San Pedro de Alcantara and Santisimo Sacramento for the Indians with Sacramento camp later becoming Ysleta. This move appears to have come about as the result of a "petition from the people congregated at La Salinta asking permission to settle near the conversion of Guadalupe, on the opposite bank of the river, where pasturage and woods were plentiful and where the people would be able to build suitable huts to protect themselves from the cold" (Hughes 1914: 316) (Short History of Ysleta Mission, Gerardo Decorme, S.J., undated).

October 12, 1680 - Letter from the Cabildo of Santa Fe to the Viceroy requesting aide for the refugees at El Paso. (Hackett 1942: 197).

October 16, 1680 - One of the Spanish refugee officials wrote a letter to the Viceroy of New Spain in which he said steps should be taken to prevent New Mexico Indians from going further south into Nueva Viscaya. "This applies very particularly to a large number of Piros Indians and those of other nations who are today in the conversion of Guadalupe del Paso, where the people of four pueblos have congregated, they being those of Senecu, Socorro, Alamillo and Sevilleta. There are besides many other nations who, advising one another, have congregated to live with them in not very much subjection, abandoning their pueblos in New Mexico, from which has followed the entry of many heathen enemies, who have wrought much destruction in the said pueblos, since even before the general rebellion they were deserted." (Hackett 1942:I:205).

December 20, 1680 - Letter from Father Ayeta to the Comisario General states that the army of refugees is encamped in three divisions: 1. San Lorenzo - a camp of Spaniards with the governor and cabildo and five fathers; 2. San Pedro de Alcantara with four frays; and 3. A camp of Sacramento under Father Alvaro Zualeta as prelate (this was the camp of the Tiwas). The remainder of the Fathers were at the convent of Guadalupe (El Paso) with Father Hurtado as custodio. All of the camps were described as destitute of food with the inhabitants eating wild herbs, mesquite beans and mescal and many refugees continuing to the south. (Father Decorme's unpublished manuscript maintains that at this time a few of the Tihua tried to found Ysleta del Sur in a nearby place) (New Mexico documents Ms 541-58) (Twitchell 1963: Vol. I, F.N. p. 366) (Hughes 1914:16).

January 17, 1681 - Jurisdiction over El Paso given to the Governor of New Mexico sitting at El Paso. (Hughes 1914:315).

November 5, 1681 - Otermin sets out north with an army to recapture New Mexico. The army included 146 Spanish soldiers and 112 Indian allies: 20 Mansos; 17 Piros from Socorro; 37 other Piros; 30 Tiwas; and 8 Towas or Jemez Indians. First night in camp at Estero Largo hostile signal fires observed. (Twitchell 1963: Vol. I, 371.

December 6, 1681 - Otermin and his men captured the occupied Tiwa Pueblo of Isleta, New Mexico. The occupants included Piros from the south and some Tiwas from the pueblos of Sandia, Puaray and Alameda. The Indians had destroyed crosses; burned the monastery; and converted the church into a cattle corral. Otermin attacked the Pueblo early in the morning from four directions against feeble opposition. There were 511 Indians in the Pueblo and most of them quickly renewed their allegiance to the Spaniards and offered children for baptismal. The Indians claimed that Northern Indians had been there and committed all the depredations, but upon being pressed by the Spaniards, they delivered missing church paraphernalia. Two Ysleta Indians escaped during the battle and Otermin sent other Indians North to proclaim his good intentions if allegiance was given. Alameda, Puaray and Sandia had all been abandoned. Otermin burned all supplies left behind by the Indians at these pueblos. All of the Tiwa Pueblos south of Albuquerque had apparently remained occupied following the Pueblo revolt until the time of Otermin's attempted conquest but were apparently thereafter abandoned until the reestablishment of Ysleta and Sandia after the Pueblo revolt was over. (Twitchell 1963:373-4).

December 8, 1681 - Lt. Gen. Domingues reconnoited north of Ysleta as far as Cochiti where he encountered a large force of Indians prepared for battle. A parlay took place and the Indians professed a willingness to reconcile. Domingues perceived that their tactics were to stall until reinforcements arrived and he returned to Ysleta where Otermin criticized him for not destroying the Pueblos and their supplies. A counsel took place at which it was decided to return to El Paso because of the cold weather and the hostile reception. (Twitchell 1963: Vol. 1, 374).

December 24, 1681 - Otermin fell back to the Ysleta Pueblo and camped on the opposite side of the river. Sgt. Major Granillo had proceeded him with twenty men to protect the Pueblo from hostiles observed in the area who were lead by Bu-pau-tu. A large number of Ysleta Indians had already fled and joined the hostiles. More testimony was taken prior to returning to El Paso. (Twitchell 1963: Vol. I, 375).

December 31, 1681 - After the unsuccessful attempt to find, fight and defeat the other pueblo Indians north of Isleta, Otermin prepared to start back to El Paso del Norte, taking 385 Isleta, New Mexico Tiwa Indians with him. "[P]rotection would thus be afforded along the retreat and also danger of the Indians returning to apostasy would thereby be relieved. Upon reaching the Paso del Norte settlements, the Indians could be located conveniently among the Spaniards and advice of such action given to he Viceroy." (Hackett 1942:I:CXVIII).

January 1, 1682 - Otermin and fifty other soldiers mount their horses and crossed the river to Isleta. There, the natives were assembled and it was found that of the 511 persons who had been captured in the siege of December 6 of that pueblo and later absolved by Father Ayeta, only 385 of all ages, sexes and sizes remained, the rest having joined the apostates. These 385 Indians were required to cross the river to the Spanish camp, taking with them from their houses all the clothes and provisions they could. As many as were possible were stored in the wagons and outfits of the mule trains. Fire was then applied, first to the estufa (Kiva) which had been built in the main plaza, and then to the entire pueblo, the whole day being employed in this work of destruction. Otermin and his soldiers recrossed the river to the camp having under good guard and custody the said 385 persons and 8 imprisoned vagrants, all of whom he has ordered to be treated with kindness and care. (Hackett 1942 I:CC). "Because the Isleta Tiwas had surrendered to the Spaniards on December 6 without putting up a serious fight, the other pueblos were in opposition against these particular Indians. Thus, it was that they stood between the devil and the deep blue sea: the Spaniards and the angry fellow Indians. In one sense they were taken to Paso del Norte as captives; in another, they went with the Spaniards voluntarily. The Spaniards at least were not threatening to kill them." (Hackett 1942:I:CCI).

January 1682 - Otermin and his group are at Estero Largo forty leagues above Paso del Norte having travelled to that point from Isleta, crossing the dreaded "Journada del Muero," a trackless waste of over 60 miles, void of water and shelter. The increased Indian captives added to the problem of settlement at Paso del Norte and Otermin desired to reorder the settlement.

February 11, 1682 - From Estero Largo, Otermin wrote to the Viceroy: "Those [Indians] I bring here with the purpose of settling them where it may be convenient, with others of their nation who came out the other time, because it was impossible to maintain and preserve them in their pueblo inland; I also set out with the purpose of assembling and reducing the Spaniards to two or three settlements, where it should seem more convenient, as also the presidio, in order that they may plant crops, since on this depends their subsistence." (Hughes 1914:320). "On the same date Father Ayeta wrote to the Viceroy, remarking that Otermin wishes to settle Indians and Spaniards in union. As this mode of settlement differed from the form used in New Mexico, Ayeta thought the Viceroy would have to make a special provision for it. Ayeta moreover disapproved the close union of the two peoples because of the epidemic among the Indians." (Hughes 1914:321). "The fiscal favored separation of the Indians and the Spaniards and thought that the sites selected should be near each other for mutual protection and that such a plan would avoid disputes over animals and oppression of the Indians repeating the necessity of separating the Indians from the Spaniards." (Hughes 1914:321-322).

Prior to the selection of sites for relocation, Otermin and several members of the Cabildo made careful examination of both banks of the Rio del Norte from Estero Largo to La Toma (the latter is said to be the place of Onate's crossing and taking possession of New Mexico on April 30, 1598, and near San Francisco de los Zumas). According to Otermin, "[t]he Spaniards, therefore, were placed in San Lorenzo (new location) a league and a half from the mission of San Francisco de los Zumas and about twelve leagues from Paso del Norte." (Hughes 1914:323).

Escalante gives the following locations: "Two leagues or more below Nuestra Senora de Guadalupe del Paso, with Piros and Tompiros Indians, the pueblo of Senecu; a league and a half toward the west, with Tihuas Indians; the pueblo of Corpus Christi de la Isleta; Twelve leagues from El Paso and seven and a half from Isleta, following the same Rio del Norte, with Piros Indians, a few Tanos and some more Gemex (Jemez) the third pueblo with the appellation of Nuestra Senora del Socorro." The founding of the presidio, in accordance with the recent ruling, was possibly left for execution to Otermin's successor, Don Jironzo Petroz de Crusato." (Hughes 1914:323).

Although these records are not clear as to exact dates and locations of missions and pueblos still, it is reasonable to assume that in the cases of Corpus Christi de la

Isleta and Nuestra Senora del Socorro, missions were built and dedicated to a Patron Saint during the year of 1682. The distances referred to from Guadalupe del Paso are very nearer the same today in the cases of Senecu and Ysleta. Although Sa Lorenzo Pueblo was later moved nearest to Guadalupe and Socorro near to Ysleta, there is no conclusive evidence that either Senecu or Ysleta were ever moved from their present locations. The first mission at Ysleta is said to have been built of logs. Otermin remarked that the Ysleta Indians who had joined him would be settled "with others of their nation who came out the other time, because it was impossible to preserve them in the pueblo inland." (Hughes 1914:320). Hughes indicates 305 Tiwas reached El Paso but Hackett says her copy of Otermin's Relation had an error in transcription.

February 1682 - An interesting notation appears in the archives of the Ysleta Church Mission, "[t]he 305 Tihua Indians coming from Isleta, New Mexico fail to stay in Ysleta del Sur." This no doubt refers to the Isleta del Sur they attempted to found in 1680 near Otermin's Real del Santisimo Sacramento. Another notation dated 1683 is to the effect, "[t]he Tihua Indians joined the camp of Sacramento and it is now called Sacramento de los Tihuas de Ysleta, with Sacramento and San Antonio as Patron Saints." There is little doubt but what these notations refer to the same move by the Tiguas as indicated by the past tense used in the 1683 entry of the church records. It also indicates a more tolerant attitude on the part of the clergy toward the Tiguas on the question of who was their patron saint. (Decorme undated pamphlet).

March 1683 - A Tigua, Alonso Shimitigua, informed Otermin of the plans of a revolt involving Tiguas, Mansos, Piros and Sumas. (Hughes 1914:376).

July 1683 - Otermin discovered another plot of revolt and concludes the Christian Indians of El Paso are dissatisfied with Spanish rule and susceptible to joining with heathen tribes to defeat the Spanish. (Hughes 1914:338).

August 13, 1683 - Don Jironzo Petroz Cruzate became Governor and the authorized presidio was founded about seven leagues from the Pueblo of Paso del Norte and midway between that place and the Real de San Lorenzo, called Nuestra Senora del Pilar and Glorioso San Jose. The settlements were reorganized under the direction of Fray Nicolas Lopez and he provides for separation of Indians and Spaniards as follows: San Lorenzo site of Spaniards, San Pedro de Alcantara of Spaniards, San Jose of Spaniards (this possibly is a new site at the new presidio indicated above) and Isleta "the old pueblo of Isleta" for Spaniards (this no doubt refers to the Ysleta del Sur the Tiwas had attempted to found in a nearby place and not to be the Sacramento Camp later called Ysleta). His reorganization lists as for Indians the following: Pueblo of Socorro for Piros Indians, San Francisco for Zumas Indians, Sacramento de los Tihuas de Ysleta for Tiguas, San Antonio de Senecu for Piros and Tompiros, the new conversion of Santa Getrudes of Zumas (possible very near San Francisco) and the conversion of La Soledad of Janos Indians established before 1680. In 1683, the Socorro Indians planned to murder their priest, Fray Antonio Guerra, so Socorro was moved closer to the pueblo of La Isleta. (Hughes 1914:327-329).

September 11, 1684 - An inventory of settlers including Real of San Lorenzo, Nuestra Senor de Guadalupe (El Paso) and Pueblo de Corpus Christi de la Ysleta showed 109 Spanish families and does not mention Indians. Bolton concludes that the present Ysleta may therefore not have been an Indian settlement from its beginning (it is more logical to conclude that the Ysleta referred to here is the Ysleta del Sur abandoned by the Tiguas in 1682 and must have been a suburb of El Paso which was quickly absorbed by the growth of El Paso). (Bolton 1908: 150-151). Bolton's authority is a manuscript in the Archivo General y Publico Provencias Internas, Vol. 37.

June 4, 1687 - A royal Cedula reviews Spanish-Indian policy and commiserates with the poor natives and commands grants to Indian pueblos of 500 varas in the Cardinal directions and more as needed. (Twitchell, Spanish Archives of New Mexico, I, 475 *et seq.*).

June 18, 1688 - The king appointed Don Diego de Vargas Zapata Lujan Ponce de Leon governor and capitan general of New Mexico. (Espinosa 1940:30).

September 1689 - Land documents, confirming and ratifying the preexisting rights of ownership of the New Mexico pueblos to the land they occupied were issued by Governor Domingo Jironzo Petroz de Cruzate on behalf of the Spanish Royal government. The pueblos included were: Cochiti, Acoma, Jemez, San Felipe, Santo Domingo, Zia, Laguna, Picuris, San Juan and Zuni. (These documents were later found to be spurious). Earlier this same year, Cruzate's Spanish soldiers were reported to have attacked and destroyed the original pueblo of Zia. It was refounded in 1690 on the ruins of one of the five original pueblos of 1583. (Pueblo Indian Historical Outline). Will M. Tipton, an investigator of the Court of Private Land Claims, thoroughly examined the Cruzate grants and proclaimed them forgeries. The grants did not contain the correct name of the secretary serving with the governor at the time the grants were issued and legal descriptions in the grants referred to landmarks not yet named at that time. (Brayer 1939:14).

February 22, 1691 - Diego de Vargas took possession of the government at El Paso del Norte and in the name of King Carlos II gives to Father Joaquin de Hinojosa the official titles of the missions with the new names: Mission de Corpus Christi de los Tihuas de Ysleta and Mission de Nuestra Senora de la

Limpia Concepcion de los Piros de Socorro. (Gerardo Decorme S.J.) (Espinoza 1940:30).

May 19, 1692 - Charge of Corpus Christi de los Tiguas, En El Reino de la Nueva Mexico, de el Distrito de El Paso, Canton Bravos, given to Fray Joaquin de Hinojosa (Manuscript copy seen by Fewkes in October of 1901 in the possession of Father Cordovas at Ysleta, Texas). (Fewkes 1902:60).

De Vargas revoked an allocation of land to the mission of Ysleta itself after refusing additional allocation of land to the mission for the benefit of the Indians. Church had previously been given custody of the Indians in spiritual and temporal manners. (History of New Mexico, Frank D. Reeve, page 287).

IV. SPANISH COLONIAL PERIOD

1716-1718 - Return of Tiwa Indians to Isleta and the rebuilding of their pueblo on the former site. The Mission was rebuilt and Saint Augustine was given as its patron saint. Earlier on January 12, 1693 Don Diego De Vargas had written to the Conde de Galve at El Paso the following short description of conditions at Ysleta del Sur. "The said tribe live in some miserable huts in the pueblo of Isleta, in the district of El Paso and so it will be desirable to restore them to their pueblo." (Espinoza 1940:287). There is no record of any having returned at this time to their former home. (Bandolier 1890:238).

September 8, 1730 - A letter of Bishop Crespo of this date, "[a] benefice for a priest can also be erected in the pueblo of El Paso. The church can be built with ease by the Spaniards who desire it so greatly and theirs is sufficient for his support with the Spanish population there and in the Real de San Lorenzo, a short league from the aforesaid El Paso and the said Indians consist of 72 families and about 300 persons. The other pueblos of said El Paso District, which are Senecu, Isleta, and Socorro which have 115 families and more than 600 persons all together can well be administered by a single minister since all three lie within an area of two leagues of flat terrain with Isleta in the middle." (Eleanor Adams 1954:34-35, 38-39, 99).

1741 - 15,000 Indians in the El Paso area. (Kelly, Henry W., Franciscan Missions of New Mexico 1740 to 1760, Thesis, April 1941, University of New Mexico Press, Albuquerque).

1744: Manchero Report - Concerns the El Paso district including the Missions of Nuestra Senora de Guadalupe, San Antonio de la Isleta, San Lorenzo, San Antonio de Senecu, Nuestra Senora del Socorro, etc.; the conditions of each mission is briefly given, plus population. (Hackett and

Bandolier 1937:406-7). During the same year, the church at Ysleta is rebuilt with the present walls. (Gerardo Decorme, S.J.). Manchero listed six missions, one hacienda and two ranchos in El Paso, stating that 225 Spanish families and more than 510 families of Christian Indians lived in the area. At the mission of Nuestra Senora de Guadalupe at El Paso was a presidio of 40 soldiers. At San Antonio de la Ysleta (Southern Ysleta) the mission of San Antonio de la Ysleta is located 160 leagues to the south of Santa Fe. It has 90 families and is situated one league from the Rio del Norte. Its mission is administered by a father who is building by his own efforts a very capacious church which I do not doubt his faithful industry will bring to a conclusion. San Lorenzo contains 50 families of Zuma Indians who are administered by one father "although there were living at this mission at the time of the uprising in the year 1680, both Spaniards and Indians, no Spanish remain and those that are there now numbering 12 have gathered by the urgings of the fathers. The Indians are being instructed. San Antonio de Senecu contains 70 families. It is administered by a father who has five Spanish companions and instruction is being given. Nuestra Senora de Socorro contains 60 families of Indians and about 6 Spaniards. It is administered by one father. The New Mexico population of Spaniards is given as 3,779 and Christian Indians at 12,142. (Bandolier, Vol. 3, edited by Hackett, 1937).

1750 - "[T]he native parishioners of the Pueblos of San Lorenzo, Senecu, Socorro and La Ysleta are fully domesticated and inclined to speak Castilian with which most of them are acquainted." This remark is in rebuttal to a report of Don Juan Antonio de Ordenal who was the presidio inspector in 1750 who wrote of the unhappy Indians in the El Paso region. (Bandolier, Vol. 3, edited by Hackett).

1751 - A grant of land of one league in each cardinal direction from the Spanish Crown to the Pueblo de San Antonio de Ysleta. It is not known if the original or any copy of this grant still remains in existence. However, it can be inferred from a boundary settlement ordered by the government of Chihuahua on December 1, 1825 between the Pueblo of Ysleta and the Pueblo of Socorro. Other documents dated June 21, 1841 of record in Book D, page 392 of the Deed Records of El Paso County, Texas, refers to a boundary dispute between Pueblos of Ysleta and Senecu and makes reference to the title papers of the communities. The civil documents of Ysleta for a portion of the year 1835 also pertain to a grant made to the Indigenous, meaning native Indians under the protection of the crown as opposed to Indios meaning wild Indians. The grant was recognized by the State of Texas in a relinquishment act of February 1, 1852 found in Gamble's Laws in Book 4, p. 53.

July 23, 1754 - Father Trigo Letter--"In the mission of San Lorenzo Del Real, there are no Indians in the mission, for

Zumas, who formerly composed the mission, revolted and returned to their heathenism and their mountains." Mission of Senor San Antonio de la Ysleta: "the Indians of this mission have their gardens adorned with beautiful grape vines, peach trees, apple trees, and good vegetables, and the garden of the convent imitates them in providing delight to eyes and satisfaction of the taste. All the cultivation is due to the annual presence of a gardener provided by the sons (of the mission) who comes to the convent every week with the boys needed for the daily cleaning of the cells. They also provide the other workers, a bell ringer, porter, cook, two sacristans and the Indian women needed to grind the wheat. Since they pay no obligations they are prompt and willing to do all things." Nuestro Senor Padre Francisco de Socorro: 50 Indian families, Mission of San Antonio Zenecu: "This mission is 2 scant leagues distant toward the east and out of El Paso. The Indians all have their vineyards and those of their souls are well cultivated. All this care is owing to the zealous efforts of their minister, Reverend Father Procurado General and former vice-custodian Fray Andres Varo. The Indians furnish him for the service of the convent a bell ringer, a porter, a cook, three sacristans, two boys for the cell, two grinding women for the wheat and a gardener for the garden." (Bandolier--Letter of Father Trigo). (This letter is translated from a copy in the Bancroft Library, New Mexico Documents 1:825-326).

April 23, 1760 - Bishop Pedro Tamaron of Durango arrives in El Paso district and in his report says of El Paso: "This town's population is made up of Spaniards, Europeanized mixtures and Indians. There is a royal presidio with a capitan and fifty soldiers in the pay of the King. Its patron saint (meaning the presidio) is Our Lady of Pilar (of Saragossa) and St. Joseph--El Paso has 354 families of Spanish and Europeanized citizens with 2479 persons. There is a large irrigation ditch with which they bleed the Rio del Norte. It is large enough to receive half its waters. This ditch is subdivided into others which run through broad plains, irrigating them. By this means, they maintain a large number of vineyards, from which they make superb wines, even better than those from Barras and also brandy, but not as much. They grow wheat, maize, and other grains as well as fruit trees, apples, pears, peaches, and figs. It is a delightful country in summer. This settlement suffers a great deal of trouble caused by the river. Every year the freshet carries away the conduit they make to drain of its waters. The flood season lasts the months of May, June, and July--San Lorenzo: "This pueblo is called the Realito, but I was never told there had been mines there (Realito refers to its having been the 1680 camp or real). Its inhabitants are Europeanized citizens and Indians. There are 32 families of citizens with 192 persons. There are 21 Indian families with 58 persons. A Franciscan parish priest ministers to these people in the capacity of missionary. It is one league over a plan to the east of El paso, downstream. Its church is 23 varas long and five and a half wide." Senecu: "This pueblo is 2(1) leagues from San Lorenzo and 3(2) from El Paso, downstream over the plain to the east. Its Franciscan missionary who resides there permanently has 111 families of Piros Indians and 425 persons; 18 families of Zuma Indians with 52 persons; and also some infidel Zumas who are being taught the catechism 28 persons; 29 families of Europeanized mixture citizens with 141 persons. His church is thirty six and three fourths varas long, five and a half wide and the priest's house measures nine varas. (Tamaron Visita, MS).

La Isleta - "The titular patrons of this pueblo are Corpus Christi and St. Anthony. It has a Franciscan missionary with 80 families of Piros (Tihuas) Indians and 429 persons; 18 families of vecinos with 131 persons. It is two flat leagues east of Senecu and five (4) from El Paso, downstream. The church is thirty-six varas."

El Socorro - "This pueblo of Our Lady of Socorro has a Franciscan missionary with 46 families of Zuma (Piros) Indians and 182 persons. It is one league east of Isleta and six from El Paso downstream. There are 82 families of citizens including those of Tiburcio Hacienda with 424 persons. The church is thirty-six varas long and seven wide and the transept measure fourteen and three fourths varas. Each of these four pueblos has a friar in residence. They are as fertile and luxuriant as El Paso, with irrigation ditches which the river fills without need for a conduit."

Charrizal - "This pueblo is new and its titular patron is San Fernando. It was founded in the year 1758 by Capitan Don Manuel de San Juan, who paid the expenses of fifty settlers equipped as soldiers and with what was necessary for their farms out of his private means. A secular priest was appointed with 400 pesos paid to him by the King. For protection of the people, twenty soldiers from the presidio at El Paso are stationed here and they are replaced at regular intervals. When I visited here the church has been started--it is 36 leagues on the way to Chihuahua. There are 41 families with 171 persons. It belongs to New Mexico."

October 7, 1766 - Field Marshal Rubi, on order of the King to make an inspection of all the presidios of the frontiers of New Spain and reports to the Marques de Croix, the new Viceroy at Mexico City on this date--"on the 19th we travelled five leagues north over rolling hills with small ravines and gorges along the road and much mesquite but little pasture. We arrived at the presidio of Nuestra Senora del Pilar de Paso del Rio del Norte, where there is a cavalry company composed of forty-six men and three officers. The annual cost of the company is 20,265 pesos. The map I drew shows the arrangement of what they call a presidio and part of Guadalupe pueblo. Following the river to the east along its right back one comes to the pueblos of San Lorenzo del Real, San Antonio de Senecu, San Antonio de la Isleta, La Purisima Concepcion del Socorro and the hacienda "Los Tiburicios" (possible site of San Elizario today). These places constitute a continuous settlement seven leagues long. The inhabitants of Nuestra Senora de Guadalupe are Spaniards, mestizos, mullatos, and Indians of the Tigua and Piros nations and some Genizaros (Mansos). At San Lorenzo are the Zumas Indians; at Senecu the Piros; at la Isleta the Tiguas; at Socorro more Piros. In each one there are a few civilized people. Those who live in Los Tiburicios hacienda belong to this class. The total is 5,000 souls. All this stretch of land is very well cultivated, producing everything that is planted, particularly very good grapes which are in no way inferior to those of Spain. There are many European fruits which are produced in such abundance that they are allowed to rot on the trees. The inhabitants make passable wine and better brandy, but at times they do not harvest enough maize for their support because the ground is devoted to vines and other crops. The capitan of the company is also the Alcalde Mayor, and the people are administered by five Franciscan friars, who attend the five missions, each with a stipend of four hundred pesos annually, paid by his Majesty. These stipends could be saved by placing one or two curates with assistants. This saving would be by no means small considering that the fertility of the Country brings the missionary of Guadalupe alone on annual income of four hundred pesos." Rubi continues his inspection on a trip up the Rio Grande over the usual route to Santa Fe and returns to El Paso before returning on to Durango. As El Paso was the most prosperous and populated area north of Durango, he believed it could defend itself by an organization of a competent militia under a responsible chief. In his opinion, the garrison there should be moved back to Charrizal and placed under jurisdiction of Nueva Vizcaya. He hoped to create a new defense line upon which presidios should be placed at intervals of 40 leagues. Rubi recommended relocation of twelve presidios as follows: Tubac to the banks of the Santa Cruz, Terrenate to upper Sobai Puria Valley, Fronteras to Santo Domingo Valley, San Buenaventura to Laguna Ascension, El Paso to Charrizal, Guajoquilla to San Elizario, Julimes to La Junta, Cerro Gordo to San Vicente, San Saba to Aguaverde, Santa Rosa to the San Rodrigo River, and Monclova to Monclova Viejo. The presidos of Janos, San Juan Bautista and Bahia del Espiritu Santo (Goliad) has satisfactory locations." (Kennard 1958:14, 17, 38-39, 83).

September 1, 1774 - A description of the most notable characteristics of the settlement of El Paso del Norte as given by one of its citizens after seven years residence there. "This settlement includes five Indian missions, the first is called 'Nuestra Senora de Guadalupe y Senor San Jose de El Paso,' whose Indians belong to the Mansos, Piros and Pimas (no doubt a misreference to the Zumas) Nations. The Mansos were its first inhabitants but they were totally extinguished, and on their lands our citizens are living with their farms and homesteads, some by purchase and some by gift from their chiefs." The Ysleta mission is described as "abundant in everything with its separate irrigation ditch and a large number of laborious civilized and industrious Indians." (Bandolier, A.E., Edited by Hackett, 1937, Historical Documents to New Mexico, Washington, D.C. Vol. 3, pp. 506-7).

1791 - Recopelacion de las Leyes de Los Reynos de las Indias protects Indian lands and their rivers and waters and can in no case be sold or alienated. (Brayer 1939:11). (Recopelacion Lib. IV, Title 12, Ley 17, II, 44).

February 24, 1821 - "The Plan of Iguala," adopted by the Mexican revolutionary forces attempting to throw off the yoke of Spain. It includes the following precedent setting statements: "---All inhabitants of New Spain, without distinction, whether Europeans, Africans, or Indians, are citizens of this Monarchy, with the right to be employed in any post according to their merit and virtues.---The person and property of every citizen will be respected and protected by law." Trusteeship of Indian property was not mentioned. And until the decision in the United States v. Sandoval, the language of the Plan of Iguala was misinterpreted to mean the end of wardship. (Brayer 1939:17).

September 27, 1821 - Mexico becomes independent of Spain and New Mexico becomes a province of Mexico.

1821 - Herbert O. Brayer concludes that under Spain: (1) Pueblo Indians in New Mexico were wards of the crown; (2) 1869 grants by Cruzate were spurious and the fundamental basis of each pueblo grant lay within the Cedulas; (3) only viceroys, governors, and captain generals could make grants and validate land sales by Indians; (4) Non-Indians were forbidden to reside upon pueblo lands; (5) the government provided protection to Indians; (6) Indians had prior water rights to all streams, rivers and other waters which crossed or bordered their lands (Recapitulation, Lib. IV, Title 12, Ley 17, II, 44); and (7) the pueblo Indians held their lands in common, the land being granted to the Indians in the name of their pueblo. (Brayer 1939:16).

October 6, 1821 - Issuance of the Mexican Declaration of Independence which reaffirms that Indians were citizens of Mexico on an equal basis with non-Indians. Again, there is no express termination of trusteeship.

V. MEXICAN PERIOD

March 11, 1824 - Established the Bureau of Indian Affairs under the Department of War by the United States Congress.

December 1, 1825 - Governor of Chihuahua orders a commission to settle a boundary dispute between Ysleta and Socorro. In conformance with an order of the commission of colonization dated 22 August, 1825. The recitation of the proceedings with respect to the pueblo of Ysleta states that there are 226 Indians and that the heads of families are 55 and that there are 72 vecinos. (Book B., p. 24, El Paso County Deed Records).

May 18, 1832 - The governor of the State of Chihuahua issued his decree brought about because of some disputes arising between the pueblos of Ysleta, Socorro, Senecu and San Elizario as to lands granted them by the King of Spain on the 13th day of March, 1751. The decree recognized the boundaries of the Ysleta as defined in the decrees of August 13, 1828. There the decree defines the boundaries of the Socorro and San Elizario grant as containing 325 leagues of these two pueblos jointly. The land was to be held and used in common by the pueblos of Socorro and San Elizario for a period of fifty years from date, without power of alienation or in the language of the decree "during which time they shall not be divided, sold, or transferred in any manner" at the expiration of the said fifty years said lands were to be divided as follows: Socorro 108 leagues * one each for each of the 108 families residing in said pueblo. The survey was duly made on the 27th of July, 1832 by Julian Bernal, alcalde of the pueblo of El Paso and possession was formally given to said pueblos of the land in accordance with the decree of May 18, 1832. (West-1924: Tex. Law Rev., Vol. II, No. 4). (The 325 league grant, though recognized by Texas, is generally considered spurious. See Bowden Ascarate Grant Thesis).

February 21, 1835 - A circular of the governor of Chihuahua adopts the opinion of his permanent deputation to-wit: (1) Lands granted to natives (Indians prior to 10 January, 1835 are for their use an benefit and can't be sold. (2) Law No. 6 of January 10, 1835 established the general survey of the state and chapter 4 authorizes surveyor with local authorities and parish priest to allot land to natives with six-year restraint on alienation. (3) Some natives have sold lands and dissipated funds. (4) Alienation by natives shall cease and surveyor may sell or rent excess land and apply proceeds to community funds. (Note that the date 1835 in subsequent papers is corrected to 1833). (Spanish Records of the Civil Government of Ysleta 1835, Elsie Campbell 1950, unpublished masters thesis, University of Texas at El Paso).

February 24, 1835 - Julian Bernall, president of the El Paso Military District orders 15 militia men and 30 natives from Ysleta (Indians) to be in San Elizario by March 5 to join the senor commandant of arms in reconnoitering the banks of the river further down. Provisions for 25 days required. (Elsie Campbell, 1950).

May 5, 1835 - A circular of the governor of Chihuahua adopts the opinion of his permanent deputation to-wit: (1) Law No. 19 of 22, October 1833, establishing the geographic body of the state declared void the law of 10 January, 1833 establishing general survey. (2) Provision of Chapter 4 of Law of January 10 on allotment and adjustment of land to natives (Indians) appears to be the same in Law No. 19. (3) Prior opinion on native (Indian) land sales therefore renewed. (Campbell 1950).

June 25, 1835 - Request from the Alcalde of Ysleta to the commanding officer of El Paso District for relief from the tobacco order reciting that the native (Indian) Ignacio Duran, Governorcillo (derogatory diminutive) has requested permission to see the commanding officer for permission for natives (Indians) to grow a little tobacco for use on scouting expeditions only. This circular refers to natives (Indians) as "very poor class." (Campbell 1950).

July 9, 1835 - Alcalde of Ysleta replies to circular of 20 May, 1835, and places before the presidency for presentment to the governor. (1) There are no excess lands in Ysleta because some land is useless and variation of the river changes planting areas. (2) Ysleta was colonized by natives (Indians) "and only to these class of colonists was granted the league of land which they own." (3) Residents have been selling land occupied by them when the river has changed course and the natives (Indians) complain of this on the basis that the residents have no title.

March 2, 1836 - Declaration of Independence by Texas--does not imply El Paso and New Mexico area; however, after surrender of Santa Anna at San Jacinto on April 21st, Texas claims all lands north of Rio Grande from its mouth to headwaters. Mexico did not respect this claim and continued to control and occupy this territory. Civil documents of Ysleta of 1835 do not even take note of civil war in Texas.

1836 - The 1836 Texas Constitution recognized and honored all valid grants by Mexico and Spain. Further provisions granted first class headrights to all inhabitants of Texas except Africans and Indians. (This would reinforce opinion that even under the Republic of Texas, Indians were dependent wards). (Giles, History and Disposition of Texas Public Domain, pp. 7, 9).

December 19, 1836 - The Congress of the Republic of Texas laid claim to the Rio Grande on the west from its mouth to its source (Texas was claiming all of what is now eastern New Mexico and did so until the compact of 1850 was reached with the United States Government). (John and Henry Sayles, early Laws of Texas, Art. 257).

January 20, 1840 - The common law of England was adopted by the Texas Legislature except laws relating to Spanish and Mexican land grants (Sales Texas Constitution, pp. 129-34).

December 29, 1845 - By joint resolution (9 Stat:108) of United States Congress, Texas is admitted to the Union on an equal footing with the original 13 states in all respects whatever. A prior resolution March 1, 1845 (5 Stat. 797) had required as a condition of admission that Texas agree to cede to the United States all public edifices, ports, arms, etc., and other buildings and works pertaining to public defense in exchange for allowing Texas to retain as a State its public funds and vacant and unappropriated lands.

VI. THE UNITED STATES PERIOD

1821-1846 - Herbert O. Brayer concludes with respect to Mexican-Indian policy from 1821 to 1846 that: (1) pueblo Indians of New Mexico were still wards, but with the title of citizens; (2) Spanish law regulating Indian rights and protection remain the same; (3) the governor's authority remains the same; (4) laxity and corruption led to much encroachment; and (5) title remained in the pueblo and not individual Indians.

1849 - Census recorded showing Ysleta and Socorro with 600 persons over 5 years of age. (Senate Exec. Doc. 1849-50:206). This same year responsibility for the Bureau of Indian Affairs was transferred from the War Department to the Department of the Interior on April 7, 1849; James S. Calhoun was appointed the first Indian Agent in New Mexico.

June 10, 1849 - Correspondence from W.H.C. Whitting, Lt. of Engineers to General J. C. Totten, Chief of Corps U.S. Engineers, gives a short but good description of "La Isla" and the pueblo of Isleta on this island "--the tradition still lives among them that one day their great Montezuma will return to lift their yoke and redress their wrongs, they cultivating patiently their little farms and retaining to the last their animosity to the Mexicans. These Indians of greater heart than their masters meet the Apaches with their own weapons and keep themselves inviolate. Still holding to their own dialects and to many old customs, and but half christianized, they worship a rude mixture of Catholic and Pagan rites. Their numbers are fast dwindling away and but a few years will pass before the last alter fires of their race will be extinguished." (Senate Exec. Doc. 1849-50:289). (One hundred twenty years later they are still in the same place as many in number and with the same myths, beliefs, traditions, and religion. But no farms).

1849 - The Mescaleros avail themselves the confusion on the border and raid Ysleta del Sur, Socorro del Sur, San Elizario and San Lorenzo (Stanley F., *The Apaches of New Mexico 1540 to 1940*, 1902 Texas Pampa Print Shop).

1849 - The official correspondence of James S. Calhoun, Indian agent for the territory of New Mexico. "The Pueblo or civilized towns of Indians of the territory of New Mexico are the following: (there follows a list of pueblos by county including "opposite El Paso, Socorro-Ysletas 600"). A recapitulation refers to the district of frontera opposite El Paso del Norte 600). "It must be remembered the Indians using the same language are not confined to the same section of country - for instance, of the five pueblos first spoken of, Taos and Pecoris are near Taos, 75 miles north of Santa Fe - Sandia and Ysleta are from 60 to 80 miles south of Santa Fe; and another Ysleta near El Paso more than 400 miles from the two first named. All the others lie between the extremes mentioned running west about 200 miles." "Herewith I return the section of the map of New Mexico which you enclosed to me on the 28th day of last December. You will find marked in this way (indicating a mark) the various Indian Pueblos located in this territory upon the section of country which the map represents - it may well be to remember that there are two Indian Pueblos below El Paso, Ysleta and Socorro - and Zunis, an Indian Pueblo 88 miles northwest of Laguna - of course, neither of these 3 pueblos could be marked upon the map." "I shall therefore confine my remarks to the Pueblos of Zuni, Socorro and Ysleta and those marked on the accompanying map - in relation to the extent of territory belonging to each Pueblo, nothing is definitely known and can only be settled by instituting such a commission as was recommended by the President in his annual message - the lands are held under Spanish and Mexican grants, and the boundaries of the original grants have been from time to time enlarged to meet the wants of these Catholic Indians - they claim that this whole territory originally belonged to them, and that their supreme government was in Santa Fe; but after the conquest this place was taken from them, and their limits fixed by authority of the conquering government - the general opinion is, not one of the Pueblos have a square of less than 8 miles and a half on each side - in addition to this, it is said, many of them have bought other lands near their pueblos, and perhaps others are planting on unappropriated land - there are a few Mexican villages built, without doubt, on lands granted to Pueblos and, there are various law suits pending between Pueblos, and Mexicans and Pueblos as to the rights of the parties to certain lands. These law suits ought to be quitted without delay, or serious and bloody consequences will result - I must further add that additional grants of land may be necessary for these Indians, and it should be given to them liberally, near where they are now located, if vacant public lands should be found there; for it will not do to agitate the subject of their removal at this time; and it would be as dangerous to the public tranquility to compel them to an association with the people of New Mexico, as citizens of the state of territory - either will produce a bloody contest at this time." The letters make copious references to the Comanches, Navajos, Utes and Apaches and their excursions. "The Pueblo Indians continue to come in with complaints against Mexican depredations." See also related correspondence from J. Van Horn, Commanding the 3rd Infantry with respect to treaty discussions with Mescalero Apaches living between the Sacramento Mountains and Presidio del Norte. (A.G.O., files, Dept. of New Mexico, V. 20 of 1850). (The Official Correspondence to James S. Calhoun, Abel, N.E.H., 1915:39, 44-45, 73, 81, 155, 164, 172-173, 260-261, 294, 434, 516). On page 40 of the Correspondence to James S. Calhoun he states "the above numeration was taken from the census ordered by the legislature of New Mexico, convened December 1847, which includes only those of 5 years of age and upward and continues "the protection of these Indians in their persons -and properties is of great importance." "In addition to the obligations which the government of the United States has assumed for their protection, it may be suggested, as a matter of government economy, their property should be protected and their industry properly stimulated and directed." "The reasons herein suggested: First, the Pueblos for the present ought to be divided into six or seven districts, and an agent conveniently located in each. Second, blacksmiths, implements of husbandry and other implements ought to be sent to him. Also, some firearms, power and lead, and other presents should be given to them. Third, none of the Indians of this territory have a just conception of the American power and strength; and many of them think, as we have associated with us the Mexicans, for whom they have no respect, we may not have a more efficient government for the protection of the people here then they afforded to them; therefore, it is, I add to the recommendations above, the propriety of allowing or rather inviting some 15 or 20 of them, and perhaps it would do well to select a few other Indians to visit the Washington City, at an early day, ..." At page 175 of the Correspondence of James S. Calhoun he states "no Indian tribes be located nearer than 100 miles of the line of Mexico - I have no reference here to Pueblo Indians . . . ." At page 176 of said Correspondence Calhoun recommends a budget of $1,725.00 for each pueblo including Ysleta del Sur and Socorro composed of salary for superintendent $1,000.00, house rent and wood $300.00, interpreter $300.00, and rations for Interpreter $125.00 for a total of $34,500.00 with an additional recommendation of implements of husbandry for 22 Pueblos at $200.00 each for $4,400.00 for a grand recommended total of $38,900.00. Two additional Pueblos are listed with respect to implements of animal husbandry to provide for Nambe and Tesuque near Santa Fe which Calhoun states can be administered from the Santa Fe office. On page 177 he divides the territory of New Mexico into recommended districts for the administration of Pueblo affairs and shows as the sixth district "below El Paso, Socorro . . . Ysleta." He then lists additional recommended budget items for the support of each of the eight districts recommended. See also House Executive Documents 17, pp. 191-228, 31st Congress, 1st Sess., Senate Executive Documents, pp. 125-143, 31st Congress, 2d Sess., House Executive Documents 2, pp. 448-467, 32d Congress, 1st Sess.

September 9, 1850 - Passage by Congress of the Organic Act, which created the territory of New Mexico and settled the long-standing controversy with Texas over the region east of the Rio Grande. As part of this compromise and its present day boundary including the El Paso area was confirmed. It might be said that on this date Ysleta, Socorro and San Elizario and the Trans Pecos Country became a part of Texas. (Act of September 9, 1850, Appendix to Congressional Globe, 31st Congress, 1st Sess., p. 1447).

May 26, 1852 - Letter from Senor Pedro Gonzalez to Gov. P.H. Bell, complaining of American outrages on Mexican citizens (Indians) of Ysleta. "That by their depredations and usurpations carried on by the American against their property and peace, they are becoming deprived of the means of subsistence and quite tired of such state of affairs." "Pedro Gonzales, Justice of the Peace, in the village of Ysleta and the only Justice there represents to your excellency in the name of the people and inhabitants of the said village, and after a mass meeting held by the same on the 1st day of April last for the consideration of the matter hereinafter mentioned: that the inhabitants of the village are very much dissatisfied with the injuries and ravages they suffer from the Americans who reside there." (Dorman 1960:167, Texas State Library 1960, 970.4 T35T3 v. #3).

July 1853 - "Surveyor's Transcribed Record Survey No. 427, Book A, p. 32. Field notes of a survey of one league and 21 labors of land made for the citizens of the town of Ysleta, it being land to which they are entitled by virtue of a grant of land from the King of Spain in the year 1751. Said survey is situated in El Paso County, known as the Isleta Grant on which the town of Isleta is located." These records were filled according to law at San Elizario, El Paso District in July, 1853. (El Paso County Records, Book A, p. 32).

January 31, 1854 - Relinquishment Act of the Texas Legislature granted to the inhabitants of Ysleta 2 leagues of land between the Rio Grande and the Rio Viejo and west of the Ysleta Grant replacing land lost to the south side of the river during the flood of 1831 or 1832 (this is a portion of the Senecu Grant left on the north side of the river after a change in its course and preceded the Relinquishment . . . to the Ysleta Grant by itself by one day. The general practice in El Paso County, Texas at this time when referring to the Ysleta Grant as one in the same grant of land as the "inhabitants of Ysleta Grant," and most maps so show it, i.e., the two grants were included in the term "Ysleta Grant." Reference to Gamble's Law setting forth the Act follow in the reference cited under the Act of February 1, 1854.

February 1, 1854 - Special Laws Fifth Legislature, State of Texas, Chapter XXXVII. An Act for the relief of the inhabitants of the town of Ysleta in the County of El Paso:

Section 1. Be it enacted by the legislature of the State of Texas that the Grant made to the inhabitants of the town of Ysleta in the present County of El Paso in the seventeen hundred and fifty one by the government of Spain to the following described tract of land to-wit: (follows description already quoted) -- containing one league and twenty one labors and ninety one acres, is fully recognized and confirmed.

Section 2. That the Commission of the General Land Office is hereby authorized and required to issue a patent to the inhabitants of said town of Ysleta to the above-described tract of land, provided that there are not evidence of conflicting claims for said land on record in the General Land Office.

Section 3. That this Act take affect and be in force from and after its date of passage - approved February: 1854. As a result of this Legislation, there follows a patent #393 dated May 28, 1873 from the State of Texas by Governor Edmund J. Davis to the inhabitants of the town of Ysleta. (E.P. Co. Deed, Book 1, p. 184). (H.P.N. Gammel, Laws of Texas, Vol. 3, pp. 1027, 1094, Vol. 4, pp. 42, 53).

February 11, 1858 - Amendment to the Act of January 31, 1854 correcting the description with respect to the inhabitants of Ysleta Grant.

December 22, 1858 - Passage of a Congressional Act confirming the original Spanish land grants on the basis of reports of the Surveyor General for the following pueblos: Acoma, Jemez, Cochiti, Picuris, San Felipe, San Juan, Santo Domingo, Zia, Isleta (New Mexico), Nambe, Pojoaque, Sandia, San Ildefonso, Santa Clara, Taos, and Tesuque. (Annual Report of the Secretary of the Interior, Gov. Printing Office 1857, 307-334).

September 1859 - Suit to recall the inhabitants of Ysleta Grant and confirm title in Senecu and injunction to restrain the Ysletanos from molesting the Senecu. Dismissed for want of prosecution after the Civil War. (Bowden thesis).

May 1864 - Michael Steck returned to Santa Fe from Washington with the "Lincoln Canes" for the New Mexico pueblo governors. Like the original Spanish canes (still used by

Ysleta del Sur governors), the "Lincoln Canes" were to be passed down from governors to succeeding governors.

November 1864 - Land patents were issued by the United States and signed by President Lincoln for all of the Pueblos included in the Congressional Act of December 22, 1858. The Pueblo governors were invited to Washington to receive the documents in person. (11 Stat. at Large 374). Ysleta del Sur was in the confederacy.

1867 - The Texas Almanac describes Ysleta belonging to and for the most part being inhabited by the semi-civilized tribe known as the Pueblos. (Grace Long, 1931:251, Texas Almanac, 1867).

July 13, 1870 - Pueblo of Senecu invoked, the jurisdiction of the joint commission under the Convention of 1868 objecting to the inhabitants of the Ysleta Grant. Commission held that Senecu had recoursed to the Courts of Texas. Petition alleges Senecu Grant to the civilized Indians of Senecu. (Pueblo de Senecu vs. U.S., Commission Docket (Mexican) 120). (See also Bowden thesis, p. 113).

Commissioner Palacio delivered the opinion of the Commissioners. "The inhabitants of the town of Senecu claim that they have been injured in the rights they have to the possession and property of a certain land, by a decree issued on the 31st day of January, 1854, by the legislature of the State of Texas, under the following circumstances.

In the territory ceded by Mexico to the United States under the Treaty of Peace of the 2nd of February, 1848, was included a portion of the 4 square leagues which the Spanish government of Mexico had granted to the town of civilized Indians of Sinecue, according to the laws of the matter. Some years before, said tract of lands had passed into the dominion of the United States, the property of the town of Sinecue had been divided in consequence in the change of course of the river Bravo, on the banks of which it was located, and that circumstances undoubtedly determined the State of Texas to grant to the town of "La Isleta" bordering on that of Sinecue the right to the portion of land which had been severed by the river." There then follows a discussion of the principles of international law upon which the commission operates.

"The right of the people of Sinecue to the lands compromised in the session made by Mexico to the United States both by its nature and its express inclusion in an international treaty constitutes a matter about which the Congress of the United States is the only power entitled to legislate. Alteration in regard to the . . . or exercise of said right, by means of a law could only be validly made, if at all, by the authority of the legislative powers of the Union. This authority not deemed vested in the legislature of

Texas it is very clear that is action in such a way, far from being final, conclusive, and unclaimable, ought to have been subjected to the examination of the Court in which the Constitution has vested the power exercised by it with as much zeal as wisdom - of deciding about the constitutionality of the legislative acts of the States." (Further discussion of the law follows).

"Supposing, as it is our duty to suppose, and is clearly expressed by the words of the decrees of Texas, that this State only disposed, in regards to said lands, of its rights in the same, and left untouched the question about the legitimacy or preference of the private title, that they might be decided by the Courts: it is not easy to perceive what sort of injury could have been made, according to law, to those who had a title, valid before the Courts, and approved by the treaty. But if such an injury would have really existed, it would have been very easy to apply a remedy to it, making use of the recourses established by the laws of the United States, used with frequency in such cases and which not very seldom have produced the result of causing the justice of private individuals to prevail on the administrative and legislative powers of the United States."

"The United States have acquired at different times very extensive territories, the largest and best portions of which have been owned and possessed by private individuals, and in all these cases they have enacted laws as just as clear to protect and secure not only the perfect rights of the parties but those merely founded on equity."

"By the means of commissioners trusted with the charge of asking for and examining the title, it has been acknowledged at once, and so to say, provisionally, the distribution of the lands acquired, and it in order to remedy the injustices, rectify the error and explain the doubtful points, a series of proceedings has been established which commences in the inferior Courts of the States of the Union and ends in the exceedingly wise, respectable, and characterized Supreme Court of Justice of the United States."

"It was not possible, therefore, to do better in favor of the parties having a right on the lands acquired by other countries and with such guarantees, neither the decree of a legislature nor any act on the part of the United States authorities, have been able to deprive the proprietors of lands of their titles, nor was it possible for said proprietors to consider themselves destituted of the easy and sure means of obtaining the acknowledgement and protection of their rights."

"By thousands can be numbered the cases of legal proceedings instituted before the American Courts by the possessors of English, Spanish, French and Mexican titles in

Oregon, Florida, Louisiana, California and Texas, an of them the interested parties were obliged to sur more serious difficulties than those offered the Sinecue by the decrees of the legislature of the Texas."

"It is neither the duty, nor perhaps the rig Commission to suggest the remedies which it is conve that people to use, but it can be assured from experience that in the United States the citizen or had been deprived of a vested right by action of a le has always the means of obtaining justice and with out of the regular course of proceedings, he always m an authority to receive his claim and to maintain h possession of his property or restore the same (There follows a further discussion of law).

"It seems that the principle error of cla applying to this commission consists in their assump by virtue of the decrees of the legislature of Te were deprived of their rights and titles to the pr said lands, in order to transfer them to the inhab "La Gleta" (La Ysleta) and that they were at the sa impossibility of enforcing their rights by the acti Courts of Justice."

"Without anticipating any opinion about the the two just mentioned points, it can be asserted tha origin to a question which nothing could pre interested parties to debate: and with referenc second namely, that the action of the legislature and conclusive, - we have endeavored to prove that mistake."

"The Commission therefore considers that the the people of Sinecue does not raise an internation and therefore does not require a resolution on its pa Randolph Coyle, Secretary on the part of the United the Joint Commission of the United States and Mexico convention of July 4, 1868, do hereby certify that th and foregoing manuscript pages contain a full transcript of the official translation of the opinio said Commission delivered by Mr. Commissioner Palac Spanish language on the 13th day July, 1870 in the ca Pueblo of Sinecue v. United States, number 120 of t of Mexican claims as the same appears on the officia of said commission. In testimony whereof I have her my hand, the said Commission having no seal, at th Washington, this 8th day of December, 1870, Randol Secretary."

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May 9, 1871 - The Texas Legislature passes "An Act to Incorporate the Town of Ysleta in El Paso County" - Chapter CLXXV. This elaborate bill, twenty seven sections describing the procedure of government of the town from who was a qualified voter to the method, whereby such corporation was authorized to grant or sell all lands therein to actual settlers on such land or to any person or persons who may desire to become a settler. (No provisions were made for any election to determine if the inhabitants desired to incorporate nor are there any indications that Indian inhabitants desired to incorporate nor are there any indications that Indian inhabitants were permitted to vote in any future elections). (E.P. Co. Deed Record Trans. 10:p. 16). Amended June 2, 1873 with respect to electing mayor.

October 2, 1871 - A trespass to try and damage suit filed by Senecu against Ysleta. Ysleta claimed title to the inhabitants of Ysleta Grant by virtue of limitations title. A jury found for Ysleta. The defendants allege in their answer that the Plaintiff Senecu is a tribe of dependent Indians and have no capacity to sue. Defendant's answer also alleged original Spanish Grant was to Indian tribe, both in respect to Senecu and Ysleta, but does not mention Indians in the Ysleta Grant at that time. (Pueblo of Senecu v. Corporation of Ysleta, District Clerk's records file no. 99 in minute book A-2, p. 272.

1872-1874 - Conveyances by the town of Ysleta:

1872 - 9 conveyances with the first conveyance in July
1873 - 276 conveyances with 259 in August alone
1874 - 19 conveyances

Some conveyances are repeated between 1881 and 1895 and again after 1895 by deed of Commissioner's Court. The present day title of the Catholic Church in and to the Plaza upon which the old mission is located, constituting approximately a city block was made by conveyance from the town of Ysleta. (El Paso County Deed Records, Direct Index, Book 1, pp. 279-295 YS; Book 3, pp. 480-481 YS; Book 2, p. 377 YS; Book 4, p. 469 YS).

May 28, 1873 - A patent from the State of Texas to the inhabitants of the town of Ysleta. Filed in El Paso County, Texas, August 17, 1881. Patent described 1 league and 21 labors and 91 acres in compliance with the Act of 1 February, 1854 (El Paso County Deed Record Book 1, p. 184).

August 21, 1873 - The Commissioner's Court of El Paso County, Texas by resolution provides that Ysleta, Socorro and San Elizario were to receive all water for 4 consecutive days beginning August 21, and continuing until such time as there shall be sufficient water in the river for all towns to draw from at once. (Grace Long, 1931:253).

December 2, 1873 - The Texas Constitution was amended to provide in Section 56, Article 3 a prohibition on special acts of incorporation of towns and cities. (Texas Constitution, 1869, Article 12, Section 40, amended 2 December, 1873).

May 9, 1874 - The Texas Legislature passed a Bill; (see Gamel's Law, Vol. 8, p. 348) Chapter XII entitled: "An Act to Repeal an Act to Incorporate the Town of Ysleta in El Paso County" approved on May 9, 1871. Section 2: Provides this act to take effect 60 days after its passage on May 2, 1874. (No election on dissolution required). During this month of May alone 254 conveyances are recorded by the town of Ysleta to various people. It appears that the incorporation of May 9, 1871 was realized to be unconstitutional under the Constitution of the State of Texas adopted in the year 1869 and accepted by the United States on March 3, 1870. This constitution prohibited grants of over 160 acres and grants without actual settlement or residence. (Special Act, Texas Legislature, approved 9 May, 1871). The Act included in its description both the Ysleta Grant and the inhabitants of the Ysleta Grant and the combined Grants thereafter are generally referred to as the Ysleta Grant. An 1872 map, the original of which is on file with the County Clerk of El Paso County, Texas, in a wooden cabinet, to the right of the basement elevator, was prepared by Rev. Thays who had been the Chaplain of the Texas Legislature. Thays had been brought to El Paso by Fountain after incurring the displeasure of certain politicians upon performing a mixed marriage in Austin. Thays, in his map, shows a substantial amount of land within the two Grants as being public land and his division of these public lands is reflected in many of the legal descriptions of lands within the Ysleta Grant in El Paso County, Texas, today. Apparently, some attempt was made to deed lands from the City of Ysleta to persons in occupation of same; however, this was not always the case as there are many traditions among the Ysleta Indians today with respect to lands taken away from their ancestors by the City of Ysleta. While, no doubt, some Indians did receive lands, from the City of Ysleta in recognition of their occupation of same, none of these lands remained in Indian ownership and today the combined total ownership of land in Ysleta, Texas by Ysleta Indians would be approximately one square block.

1880 - Population of Ysleta given at 1,453 persons, San Elizario 910 persons, El Paso 736 persons. (Grace Long, Masters Thesis, 1931:287).

August 5, 1880 - Ysleta is again incorporated as the "Corporation of the Town of Ysleta" as per document signed by H.C. Cook, County Judge of El Paso County, certifying that an election had been held in conformation of the law governing such elections and the results were: 28 votes for incorporation and 11 votes against incorporation. (E.P. County Records, Book 3, p. 67).

January 16, 1881 - Capt. Baylor takes his rangers and three Pueblo Scouts, Bernardo Olguin, Domingo Olguin, and Aniceto Duran and starts out to trail the Apaches from Quitman Canyon. This trail searched out by the Pueblo Scouts led toward Eagle Mountains, then turned north toward the Cornudas in New Mexico.

January 29, 1881 - "The Pueblo Scouts come upon the Apache near Devil Mountains where they are surprised and most all killed. Those captured were sent to Ft. Davis. On their return from the battle of the Diablos, the Pueblo Scouts suddenly halted about a mile from Ysleta, unsaddled and unbridled their tired little ponies and went into camp. This was their custom after a successful campaign against their enemies, the Apaches, so the tribe might come out and do honor to the returning heroes. For three days and nights, a feast and a scalp dance was held by the whole of the Pueblo tribe at Ysleta.

They feasted, wined, and dined the warriors and rangers. This celebration was the last scalp dance the Pueblo Indians ever had for the destruction of the Apaches in the Diablos brought their depredations to an end." (Gillette - 1921:204-210). (Margarita Pedraza Carbajal, 99 years of age on February 22, 1969, and blind remembers this last scalp dance as a girl of 10 years when she danced with one of the scalps. She adds to the story that the warriors also brought back a bear skin, adding "you know not many bear skins are to be had around here."). See also Col. Baylor's account of the last battle (El Paso Herald Post, August, 1900). Margarita Pedraza, age 100, was a girl of nine at the time and took part in the celebrations. She says many scalps hung in an old pear tree along with a bearskin.

c. 1880-1881 - It appears that some of the events related by Gillette as occurring in 1881 actually occurred in 1880 and the information on the market is correct. Old discharge papers for the mentioned Scouts indicate they were discharged from the U.S. Army as Scouts on September 21, 1880. Possibly this accounted for their being employed by Capt. Baylor on january 16, 1881. Also Tigua tradition has Simon Gonzales as the Pueblo Indian killed at battle of Paso Viejo.

1881-1895 - The following conveyances from the town and City of Ysleta appear in the deed records of El Paso County, Texas: 1881 - 18 conveyances; 1889 - 14 conveyances; 1890 - 1 conveyance; 1891 - 5 conveyances; 1892 - 2 conveyances; 1893 - 2 conveyances; 1894 - 2 conveyances; 1895 - 6 conveyances. Some of these conveyances repeat conveyances made in 1872 to 1874. Some conveyances are repeated after 1895 by Deed of the Commissioner's Court of El Paso County, Texas. (El Paso County Deed Records direct index).

1881 - Founding of the Albuquerque, New Mexico Indian School operated by the Presbyterian Church until October, 1886 when it was operated by B.I.A. - Indian children from Ysleta del Sur at El Paso were required to attend school there as late as the early 1900's and the B.I.A. inventoried the Tiguas as a dependent tribe in 1849. (Senate Exec. Doc. 1849:206).

May 4, 1881 - Bandolier in Albuquerque, New Mexico meets three Tigua Indians from Ysleta, New Mexico are Piros Indians and those of Ysleta del Sur speak their language (Tiwa). (Bandolier 1966:277).

May 13, 1881 - Coming of the railroads to El Paso area. At this time, Ysleta was County seat of El Paso County. (G. Decorme, S.J.). This probably accounts for J. Walter Fewkes' statement - "In late years several Tiwa families have moved away from Ysleta to Las Cruces, New Mexico and other localities along the railroad where they find profitable employment." (J.W. Fewkes - 1903 Pueblo Settlement near El Paso). This settlement near Las Cruces is called "Tortugas" and a small band of Tiguas live there presently being kin of the Ysleta Tiguas. Tortugas appears on a map of 1854 at its present location. The map is of the Messilla Valley and was prepared by Capt. J. Pope, Corps. of Eng. (National Archives Record Gp. 77, W23/F). Tortugas' appearance on the map of this date would indicate that Tortugas was founded at the same time as Old Mesilla by refugees from the El Paso Valley. It is only logical that if Spanish and Mexican citizens were intimidated by the gringos to the point of abandoning their homes that some of the Indians might have done likewise and founded their own settlement district from the Mexican community as was their custom.

1881 - John G. Bourke gives an excellent description of his visit to Isleta del Sur and the Pueblo of Isleta. He describes a Tigua house. "I saw a shield, bows and arrows, guns, a bundle of eagle feathers and a pair of wooden spurs hanging from the rafters -- but beyond these nothing whatever to lead me to suspect that I wasn't in the house of a humble and industrious family of Mexicans." -- A Tigua informant told Bourke -- "Their Pueblo had always furnished scouts and guided the soldiers in their campaign against the Apaches." -- "This young man was perfectly willing to converse with me concerning his people and to show me everything I wished to see -- he said the Pueblo raised everything to eat except potatoes -- he said their houses belonged to the women -- an examination showed that they had the same rules of property and descent as among the other Pueblo Indians. The Pueblo now has 36 "cabezas de familiar" and four "widows" -- and old man complained, "that the Americans and Mexicans were crowding into their beautiful valley and taking up, without any recompense land belonging to the people of the Pueblo." (Bloom 1938:190-209). The old man was tiniente cacique, Juan Severeino Gonzalez, 55 descendants of Piros.

December 27, 1882 - A Dutch anthropologist, Dr. H.F.C. Ten Kate, visited Ysleta and observed 40 Indian families with the same language as Ysleta and Sandia, New Mexico. "They call themselves Tiwa" "Secretary many of the elder people cling to their ancient religious notions." Ten Kate observed dancing underway during his visit at Ysleta and red paint on the faces of the Indians. He also noticed log staging for grain, etc., and observed copious irrigation water. The governor of the tribe was Jose Maria Duran. Ten Kate collected objects from Bernardo Holguin (the same Indian mentioned by Capt. Baylor) consisting of a war captain's bonnet (emoh), a shield (Gwijer), a drum (pohojeth), a photograph of this drum appears in catalog role 16 no. 21, 22 Arizona State Museum, a drum stick (lah). An old man related many war raids against the Apaches. He had an American officer's coat which was given to him as a present from the commanding officer of Fort Davis. (Dr. H.F.C. Ten Kate 1885:12-16). This book was published in Dutch in 1885 and has never been translated into English. The partial translation referred to in this note is from a letter from Ted J. Brasser to Dr. Edward P. Dozier, Department of Anthropology, the University of Arizona, Tuscon, Arizona, United States of America, dated August 23, 1967. Mr. Brasser's address is Leiden, Ingage; Steenstraat, 1, Post Bus 212, Telefon: 01710-32641, Holland.

1885 - Diary of Rev. Hiram Walrer Read mentions Socorro, Isleta del Sur, and El Paso region. Population estimate of Ysleta of about 200 persons. (Bloom 1942:147).

April 2, 1889 - Special laws of the State of Texas passed at the regular session of the twenty-first Legislature - Chapter XVI, An act to quiet land titles in Socorro, Ysleta, and San Elizario: Whereas the State of Texas has granted to each of the towns of Socorro, Ysleta, and San Elizario of the County of El Paso several leagues of land and these lands have been conveyed by said towns to the inhabitants for the most part, and the deeds are generally informal, which much retards the settlement of said lands and depreciates the value thereof: Now therefore: Sec. 1: be it inacted by the legislature of the State of Texas: That all genuine deeds made by the towns of Socorro, Ysleta, and San Elizario to lands lying in their respective corporate limits, whether the same be in form or attended with formalities prescribed by Charters, are hereby declared valid and operative as fully as if all the forms and formalities required had been complied with, Saving the rights of any third parties. (Gammel's Law, Vol. 9, p. 1371). Special Act Texas Legislature, approved April 2nd, 1889.

August 10, 1889 - Resolution of the town council Incorporating Ysleta as a City - "Whereas the town of Ysleta has within the town limits more than 1,000 inhabitants to-wit: 2,000 souls and whereas said town is incorporated under Chapter 11, Revised Statutes of Texas for incorporation of towns and villages. Now therefore, be it resolved by the

Mayor and town council of the town of Ysleta, that they unanimously adopt the general laws for the incorporation of cities and towns with more than 1,000 inhabitants as the Charter of the City of Ysleta instead of the present charter of the town of Ysleta." (E.P. Rec. Book 17:370).

November 2, 1889 - Pueblo of Ysleta revoked power of attorney of John P. Randolph with respect to the rancho de Ysleta Grant (considered spurious) for 186 leagues of land. (Bowden thesis, pp. 109-134 in El Paso County Deed Records, Vol. 14, pp. 313-316, Vol. 26, p. 19, Vol. 33, p. 371, Vol. 26, p. 104).

1890 et seq. - Will M. Tipton, investigator for the Court of Private Land Claims, concludes Cruzates signature on the Cruzate Grants are a forgery and that the secretary named never served and that the correct secretary was Pedro Nino de Cuevara. The Laguna Grant was made ten years before the Pueblo was even founded. Parts of the Grant's language were traced to a book published in 1832. Therefore, the fundamental basis for the Pueblo land grants of New Mexico which were recognized by the United States of America become royal ordinances applying to all pueblos.

September 13, 1894 - From September 13, 1894 until July 27, 1907, 131 Indians from El Paso and Las Cruces enrolled in the Albuquerque Indian School (from a letter from Samuel Robesberg, Principal, Albuquerque Indian School dated 12 July, 1966. Original is in the possession of Mr. Nicholas P. Houser of the Arizona State Museum, University of Arizona, Tucson, Arizona).

January 6, 1895 - The Tiguas of Ysleta del Sur adopt a Constitution and by-laws retaining a survival of their ancient tribal organization as evidenced by two documents drawn up before a notary, Dr. Wahl, and formally signed and sealed written in Spanish. "We, the undersigned, comprising natives, have assembled for the purpose of making the following regulations and complying with those duties, which our ancestors observed and which we wish to transmit to our children: We solemnly bind ourselves in the first place to celebrate in the best manner we are able, the festival of our patron, Saint Anthony. In the second place, we bind ourselves to respect the native authorities which we ourselves nominate and elect and also to submit to such punishment as the same native authorities may impose, without complaint or appeal to any other authority regarding matters, personal or domestic, pertaining to us, without prejudice to the general laws of the remaining citizens.

In the third place, we decreed that every failure to respect our native authorities shall be punished for the first offense, with twenty hours arrest; leaving the punishment, however, to the prudence of the same native authorities;

should the same person repeat his offense, that this regulation may have force and authority, all desirous of doing so have freely affixed their signature." - This document closes with the marks of the Indians. Their names written and acknowledged by the notary.

Enumerated are the duties of officers:

"Duties of the Cacique"

"First Duty: Every year,, on New Year's Eve, the Cacique Mayor shall assemble his people and advise the meeting to nominate native authorities to hold power for the forthcoming year. The same Cacique Mayor shall give the badges of office in the following orders: To the Governor, to the Lieutenant Governor, to the Alguacil and to the Capitan Mayor (Capitan de Guerra), to the four subordinate Capitans, indeed all these officials or subject to the Cacique as likewise all sons of the pueblo of San Antonio, according to the laws and traditions of the tribe. This dependence extends to the Cacique Mayor, to look after his life and the maintenance of his family."

Duties of the Governor"

This officer with the badge of his office in his hand as a symbol of administering justice, represents a Justice of the Peace in all minor matters, such as civil offenses; he shall punish lack of respect to the sons of the pueblo of San Antonio and shall give permission for customary dances which are lawfully permitted to the sons of the tribe. In addition, the governor is requested to see that fathers of families comply with the sacred duty of teaching the Christian doctrine to their sons, and of celebrating annually the festival of our patron, San Antonio. Lastly, the governor shall see to it that the sons of the Tribe perform in such manner as may be possible, the marriage and funerals of the natives. In conformity with the third clause the governor has not authority to impose punishment exceeding three days in prison.

"Lieutenant Governor"

The Lieutenant Governor is clothed with the same power as the governor when the duties of the governor devolve on him.

"Duties of Capitan Mayor and his Subordinate Capitans"

To direct the dances in the public plaza and to preserve order during the dance; also to well regulate everything pertaining to hunts of deer, rabbits, and hares, but always after consultation with and notification of such diversions to the Cacique Mayor, who shall never permit them on Sunday or on those days when they are obliged to hear the

Holy Mass as in Christian faith universal. Regarding the dances, it is recognized that they are permitted on the following days only: Christmas, Saint Anthony's Day, St. John's Day, St. Peter, St. James, St. Anna, and St. Andrews, if the days do not fall at the time of the hunt. Lastly, it is the duty of the Capitan Mayor and his subordinates to remove from the pueblo of San Antonio, every kind of witchcraft and belief contrary to our Holy Catholic Apostolic and Roman religion. No son of the pueblo of San Antonio is obligated to accept if so commanded any sorcery or false belief.

It is the duty of all who follow the regulations of the sons of the Pueblo of San Antonio to sign this enactment, on the other hand, those who do not sign it by the same wish to not regard themselves as sons of San Antonio.

This second document is signed by the same persons as the former and may be regarded as the by-laws to the preceding Constitution. (Fewkes 1903:____). There is an obvious church influence on this above document.

October 14, 1895 - Abolishment of the corporation of Ysleta by the Commissioner's Court of El Paso County - "Whereas, more than 100 of the property tax payers of the City of Ysleta in El Paso County, Texas, desiring to abolish the corporation of the said city presented a petition to the undersigned to that effect, where upon an election was called for October 1, 1895 as provided by law, and whereas the returns of said election was duly made to me in the time required by law and the same showed that the Vote case was 52. For abolishment 51 votes; against abolishment, 1 vote. Therefore, I, F.M. Hunter, County Judge of El Paso County, Texas, by virtue of the authority in me vested, do hereby declare said corporation abolished from this date." (E.P. County Record, Book 4, p. 42). After acquiring the Indian's lands, it would appear that the "property tax payers" did not want the expense of supporting a municipal government.

October 1901 - J. Walter Fewkes visits Ysleta and Senecu and makes an ethnological report in 1902. He describes the area, the people, their dances, language, and social organizations including the 1895 document of association, etc. "The author has seen a manuscript copy of a document dated May 19, 1692, in possession of Father Cordovas, a priest at Ysleta who claims that the original, now in Mexico, is the earliest existing record of the church at Ysleta. The following legend found on a photograph by the same priest refers to this manuscript: 'This document in the name of the King of Spain gives charge of the church of Corpus Christi de Los Tiguas en el Reino de la Nueba Mexico de el Sitrito de el Paso Canton Bravo, to Fray Joaquin Ynojosa.' Years after, the titular saint of the church was changed to St. Anthony, the patron of the Indians, Ysleta being a Tigua village. Later on, a petition was sent to the Bishop to change the second titular saint; this request being granted, the church was dedicated to Nuestra Senora del Carmen."

The present Indian officers of Ysleta are as follows: Cacique - Aikamede, Jose Tolino Piarote; Governor - Tuwatabode, Mariano Colmenero; Lt. Governor - (no native name) Felipe Cruz; War Captain - Wilawekamede, Tomas Granillo; Subordinate Capitans - (no native name) Blas Colmenero, Blas Granillo, Cristobal Aquiar and Aniseto Granillo. Other family heads are: Tiburcio Olguin, Jose Marie Montoya, Ponciano Olgun, Patricio perea, Manuel Ortega, Sebastiano Duran, Alvino Aquiar, Pascual Piarote, Maleno Marquez, Robel Trujillo, Reyes Trujillo, and Crecencio Marques. Women: Cornilia Colmenero, Andrea Piarote, Estefana Montoya, Valentina Ortega, Agustina Olgin, Patricia Montoya, Nestora Piarote, Delores Granillo, Andrea Marques, Juana Duran Granillo. (J.W. Fewkes 1902:__). (U.S. Congressional Record - April 1, 68 S3687-8-9). Fewkes describes an open space before the church surrounded by a low adobe wall and called the cemetery although no longer used for such. A dancing takes place here. Fewkes says the site of the old pueblo was across the street. (The name of the street is Old Pueblo). The casique remembered that formerly the Indian houses were arranged here about a plaza which was rectangular and that homes were made of upright logs chinked with adobe in the manner of the jacal. Fewkes comments that 20 men had discharge papers as scouts and that others were killed. However, none received pensions or rations. "They have no resident agent or missionary, and, although poor, they are industrious, self respecting, law abiding citizens. Fewkes observed that Socorro had been amalgamated to the Mexican culture and that Senecu had a tribal organization, drum and 50 Indians left. (Fewkes 1902).

May 14, 1907 - Ysleta Mission Church is burned leaving only the walls standing. The building is rebuilt, the present church and tower and blessed by Father John Cordova July, 1908. (G. Decorme, S.J.). Tigua Indians continue to complain that original bells were removed from the tower and placed in front of the church. (Decorme).

July 1908 - Ysleta church rebuilt and blessed by Father John Cordova. (Decorme).

June 12, 1936 - During the Texas Centennial Celebration, Cacique Damacio Colmenero and 34 Tiguas journeyed to the Cotton Bowl at Dallas, where they conferred upon President Franklin D. Roosevelt the title of "Honorary Cacique of the Tiguas." They also made Mrs. Roosevelt "Honorary Squaw." (Calleros).

August 10, 1938 - Brayer summarizes U.S. policy with respect to Pueblo Indians:

(1) Pueblo Indians in New Mexico are wards of the United States.

(2) Indians have communal title granted by Spain recognized by Mexico and confirmed by the United States.

(3) As wards, Indians may not alienate their lands without consent of the United States. (Brayer 1939:131).

There is no reason to distinguish the Pueblo land claims of the Ysleta Indians from those of the New Mexico Pueblos, at least until 1850 and the enactment of the organic act.

August 23, 1954 - By Act of Congress (68 Stat. 768) the United States relinquished responsibility for the Alabama-Coushatta Tribes of Texas to the State of Texas based upon an equal footing with the original 13 states. By Act of Congress May 29, 1928 (45 Stat. 900) the United States had assumed responsibility for the Alabama-Coushatta Tribes; however, Texas as a result of its tidelands dispute with the Federal Government had asked that its Indian affairs responsibility be turned back to the State. This Congressional Act, specifically provided tha the U.S. government was conveying in trust to the State of Texas all lands acquired by the U.S. for the benefit of these Indians and that with termination of the Federal Trust, all services performed for said tribe ceased except such Indians shall be eligible for admission to hospitals and schools maintained for Indians by the United States and all indebtedness under the Act of May 29, 1928 was cancelled." The administration of this responsibility by the State of Texas was first placed under the State Board of Control and later transferred to the Department for Special Schools and Hospitals.

1965 - The 59th Texas State Legislature in Chapter 279 created a Commission for Indian Affairs consisting of three members to be appointed by the governor with the advice and consent of the Senate. This Commission was responsible for the development of the human and economic resources of the Alabama-Coushatta reservation.

April 12, 1967 - Hearing before the public affairs committee of the Texas House of Representatives. Present were Dr. Bernard Fontana and Nick Houser of the University of Arizona, Andy Abeyta, Governor of the Ysleta, New Mexico Pueblo, Fred Smith of the Office of Economic Opportunity, El Paso, Texas, Cacique Jose Granillo, War Captain Trinidad Granillo and Miguel Pedraza and 12 other Indians who danced and gave Tiwa chants joined in by Andy Abeyta. This trip was financed by the National Congress of American Indians and Georgianna Robinson, an Osage and Vice President of the NCAI. I was also present, along with a representative of the Bureau of Indian

Affairs of the Federal Government. (Personal recollection of Tom Diamond).

May 23, 1967 - The above Act, Chapter 279 was amended by the 60th Legislature of the State of Texas (H.B. 654 Chapter 276) to include the same responsibility for the Tigua Indian Community and recognizing the Tiguas as a Tribe of Texas Indians. On the same date H.B. 888, Chapter 277 was enacted which states in Sec. 1, "If the Congress of the United States so legislates, and the Tigua Indian tribe indicates its consent by appropriate resolution, the governor may accept on behalf of the State a transfer of trust responsibilities of the United States respecting the Tigua Indian tribe, these trust responsibilities shall be administered by the Commission for Indian Affairs." (Vernon's Ann. Civ. Stat:Act 5422-1). John Connally as Governor of Texas signed the Tigua Indian Bill and presented one of the pens to Casique Jose Granillo. Also present were Trinidad Granillo, Miguel Pedraza, Pablo Silvas, Dora Cedillo and 5 or 6 other Indians. Connally was made the honorary Casique of the tribe and given a rattle, Indian corn and an eagle feather, and a beaded headband. He also received the Tigua Indian paint. The Indians chanted and danced in the Governor's reception room. Senator Ralph Yarborough, at ceremonies subsequently held in El Paso, was named honorary governor of the tribe and at the Ysleta Indian Office in Ysleta. Attorney Crawford Martin was inducted as honorary war captain of the tribe. (Personal recollection of Tom Diamond).

August 1, 1967 - Testimony on the "Tiwa Indians of Texas" bill before the subcommittee on Indian Affairs, Aspenall presiding. Present representing the tribe were Jose Granillo, who testified and Miguel Pedraza and Trinidad Granillo. James Officer of the Bureau of Indian Affairs translated for Jose Granillo. On the trip the Indians evidenced great concern for all life and chanted much of the time with clapping hands replacing the drum beat. (Personal recollection of Tom Diamond).

April 12, 1968 - Public Law 90-287 was signed by President Lyndon B. Johnson, which reads as follows:

"Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, that the Indians now living in El Paso County, Texas who are descendants of the Tiwa Indians of the Ysleta (Isleta) del Sur Pueblo settling in Texas at Ysleta in 1682 shall from and after the ratification of this Act, be known and designated as the Tiwa Indians of Ysleta, Texas, and shall continue to enjoy all rights, privileges, and immunities enjoyed by them as citizens of the State of Texas and of the United States before the enactment of this Act and shall continue to be subject to all the obligations and duties of such citizens under the laws of the State of Texas and the

United States.

Sec. 2. - Responsibility, if any, for the Tiwa Indians of Ysleta del Sur is hereby transferred to the State of Texas. Nothing in this Act shall make such tribe or its members eligible for any services performed by the United States for Indians because of their status as Indians nor subject the United States to any responsibility, liability, claim or demand of any nature to or by such tribe of its members arising out of their status as Indians and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Tiwa Indians of Ysleta del Sur. Nothing herein shall preclude the application to the people of Tiwa Indians of programs undertaken pursuant to the Economic Opportunity Act of 1964 (78 Stat. 508), as heretofore or hereafter amended." (Cong. Rec. 4/1/68:S. 3691).

PREPARED STATEMENT OF GILBERT PENA

Thank you for affording me the opportunity to address this distinguished committee on a matter of the Ysleta Del Sur Pueblo.

I am Gilbert Pena, Chairman of the All Indian Pueblo Council. I am here today to present testimony on behalf of the All Indian Pueblo Council (AIPC) which represents the New Mexico Pueblo Tribes of: Cochiti, Isleta, Jemez, Laguna, San Felipe, Sandia, Santa Ana, Santo Domingo, Zia, Zuni, Nambe, Picuris, Pojoaque, San Ildefonso, San Juan, Santa Clara, Taos and Tesuque.

The Indian People of Ysleta Del Sur Pueblo share a way of life understood only by other Pueblo Indians. Their culture and religion remains intact and is carried forth as practiced and passed on by a people determined to preserve their Indian way.

The All Indian Pueblo Council, through 1985 RESOLUTION #22 wholeheartedly supports the efforts of the Pueblo of Ysleta Del Sur in their efforts to gain Federal recognition. The All Indian Pueblo Council, through its Resolution, strongly objects to the efforts of the State of Texas to terminate a people who take pride in being American Indians, and as such, supports H.R. 1344, sponsored by Representative Coleman, with all provisions inherited thereof.

More important, the Federally recognized Isleta Pueblo adopted Isleta Pueblo Resolution 84-051 expressing their total support for the Ysleta Del Sur Pueblo. That very same resolution acknowledges and confirms "that the Ysleta Del Sur Pueblo...are direct bloodline descendants of Pueblo Indian People forcibly removed and relocated from Isleta Pueblo, New Mexico in 1680 and 1681 to their present site in El Paso County, Texas..."

Various Indian organizations and Tribes have gone on record in support for Ysleta Del Sur Pueblo when similar legislation was proposed in the 98th Congress.

Mr. Chairman and Members of the Committee, I strongly encourage you to favorably consider the matter before you and recommend adoption of H.R. 1344. In doing so, you will contribute to the preservation and survival of the Pueblo world.

Thank you for your time.

ALL INDIAN PUEBLO COUNCIL

1985 RESOLUTION #22

WHEREAS, the All Indian Pueblo Council (AIPC) comprised of the Pueblo Tribes of Cochiti, Isleta, Jemez, Laguna, San Felipe, Sandia, Santa Ana, Santo Domingo, Zia, Zuni, Nambe, Picuris, Pojoaque, San Ildefonso, San Juan, Santa Clara, Taos, and Tesuque have recognized the Tigua Indians from Ysleta Del Sur Pueblo of El Paso, Texas, as direct decendants of Isleta Pueblo, New Mexico; and,

WHEREAS, in 1968, the Pueblo of Ysleta Del Sur was finally recognized by the Federal Government. However, such recognition was granted only on the grounds that the tribe would be terminated from federal trust responsibility and transferred to the State of Texas; and,

WHEREAS, there is strong indication and action by the State of Texas to terminate this trust relationship; and the State Attorney General of Texas has declared that there is no legal grounds for the State of Texas to provide services and funds to the Pueblo of Ysleta Del Sur; and,

WHEREAS, such actions and declarations threatens the very survival and existence of the Tigua people of Ysleta Del Sur who are direct decendants of our New Mexico located Pueblo of Isleta

NOW, THEREFORE BE IT RESOLVED, that 1) The AIPC and its member Pueblos strongly object to the efforts of the State of Texas to terminate a people who take pride in being American Indians. 2) The AIPC and its membership supports H.R. 1334 sponsored by Representative Coleman with all provisions inherited in the legislation. 3) The Chairman of AIPC is hereby authorized to support H.R. 1334 and the efforts of the Tigua Indian Tribe of Ysleta Del Sur to attain federal recognition.

CERTIFICATION:

I, the undersigned, as Chairman of the All Indian Pueblo Council, do hereby certify that the foregoing resolution was passed at a duly held meeting of the AIPC held on the 21 day of June, 1985, at which time a quorum was present with 17 voting for, 0 against and 0 abstaining.

Gilbert M. Pena
Gilbert M. Pena, Chairman

ATTEST:

John F. Gonzales
John F. Gonzales, Secretary/Treasurer

1985 RESOLUTION #22

PUEBLO OF COCHITI

Candido Armijo
PUEBLO OF JEMEZ

Juan P. Tenorio
PUEBLO OF SAN FELIPE

PUEBLO OF SANTA ANA

Augustine Pino
PUEBLO OF ZIA

PUEBLO OF NAMBE

Viarrial
PUEBLO OF POJOAQUE

PUEBLO OF SAN JUAN

Joe C. Sandoval
PUEBLO OF TAOS

Alvino Lucero
PUEBLO OF ISLETA

PUEBLO OF LAGUNA

PUEBLO OF SANDIA

PUEBLO OF SANTO DOMINGO

PUEBLO OF ZUNI

PUEBLO OF PICURIS

PUEBLO OF SAN ILDEFONSO

PUEBLO OF SANTA CLARA

Padilla
PUEBLO OF TESUQUE

PREPARED STATEMENT OF MORRIS BULLOCK

Mr. Chairman and Members of the Committee:

My name is Morris Bullock and I am the Chairman of the Alabama-Coushatta Tribe of Texas. The Alabama-Coushatta Indian Tribe is a small tribe of approximately 500 members. Our Reservation contains about 4,600 acres of land and is located 17 miles east of Livingston, Texas, in the heart of the Big Thicket. In early times, the Alabama and Coushatta Tribes were members of the Upper Creek Confederacy and occupied adjacent territories in what are presently the states of Mississippi and Alabama. In 1763, at the end of the French and Indian War, our Tribes left Alabama and migrated westward, eventually settling in the Big Thicket area of East Texas in the 1780's. In the war for Texas' independence from Mexico our Tribes remained neutral, but provided shelter and food to Sam Houston's army and the citizens of Texas who were fleeing Santa Anna's armies. Our Tribes have always been very proud of our continuous peace and friendship with the State of Texas and our first Reservation was set aside for us by an act of the Texas Legislature in 1854. In 1928, the federal government came into the picture and purchased another 3,071 acres right next to the 1,200 acres that the State had bought in 1854. I have included as an appendix to my testimony a more complete history of our Tribe written by Howard N. Martin and published in the East Texas Historical Journal in 1979. The history of our Tribe and its dealings with both the federal government and the State of Texas since 1928 will be covered by Arnold Battise, whose testimony will follow mine.

The Alabama-Coushatta Tribe has operated under a constitutional form of government since the 1930's. The 1954 Termination Act did not affect tribal powers under this IRA constitution, and we have continued to operate under basically the same constitution since the 1930's, although it was revised in 1971. A copy of the Tribe's current constitution and bylaws is also attached to my testimony. The constitution provides that the membership of the Tribe shall consist of all persons whose names appear on the 1971 tribal roll, and all children who are born to any member of the Tribe, provided that both parents are of all Indian blood and are residents of the Reservation. The governing body of the Tribe is the tribal council, which is composed of seven members elected for staggered three-year terms. The council selects the tribal officers from its own membership and the traditional chief of the Tribe is an advisory member of the council who votes only to break a tie. The enumerated powers of the tribal council under the constitution are the standard constitutional powers that were set forth in the Indian Reorganization Act. All of the reservation lands of the Tribe are tribally held--none are allotted. Tribal lands may be leased by the council with the approval of the Texas Indian Commission.

Tribal members reside on assignments that are made by the tribal council.

Since the late 1950's the Tribe, with assistance from the State of Texas, has been engaged in an effort to develop economic resources on the Reservation. Throughout the 1960's and 70's, our efforts were focused on developing tourism rather than agriculture or industry. Since 1963, we have constructed a major tourist facility, which includes a museum, an arts and crafts shop, a restaurant, a "living Indian village" and "dance square." A small tour train and open buses take visitors on an historical tour of some of the last virgin growth in the Big Thicket. Other facilities include a 1,500-seat amphitheatre, a man-made lake with numerous campsites, and a tribal pottery plant.

Over the years, thousands of tourists from all over the world have visited our Reservation and it is safe to say that we are one of the major tourist attractions in East Texas. However, in recent years the rate of growth of our tourist industry has diminished substantially to the point that our tribal enterprise has been forced to develop plans for other economic development activities. We are presently considering alternatives which might attract industries to the Reservation and thereby provide much-needed employment for tribal members. The tribal enterprise currently employs 56 tribal members and last year paid salaries and wages totalling roughly $250,000. Taxes, insurance, utilities, interest, and repair and maintenance on state-owned equipment accounted for an additional expenditure of almost $300,000 of tribal enterprise-generated funds. In addition, the

Tribal Council currently employs an additional 15 tribal members.

Beginning in 1983, tribal income from oil and gas production on the Reservation increased dramatically. However, in recent months production has fallen off in an equally dramatic fashion. Thus, in September 1984, tribal royalties from natural gas production totalled almost $136,000, while one year later, in August 1985, royalties totalled only $5,500. Oil and gas revenue for the State fiscal year 1985 totalled $812,000, a full one-third less than the estimated $1.2 million which we had used in the development of our mineral use plan. While the producers are presently attempting to rehabilitate the wells on the Reservation, the prospects for any significant production in the future do not appear bright.

In recent years, our Tribe has become increasingly active in participating in local and regional planning and activities. We are proud of our good relationships with the cities of Livingston and Woodville, and Polk and Tyler Counties. We have participated in the Deep East Texas Council of Governments and I am pleased to submit resolutions of support from these and other local governments and organizations for the record of these hearings.

Despite the progress made by the Tribe and its members in recent years, we still suffer from many of the social and economic problems that afflict other Indian reservations in this country. One of the major problems on the Reservation is the prevalence of diabetes, high blood pressure and arthritis. Forty-four percent of the Reservation population suffers from diabetes, while 40%

suffers from high blood pressure and 47% suffers from arthritis. Roughly 70% of the Reservation population is afflicted by poor eyesight. There are no health care facilities on the Reservation, and the State of Texas provides no health care assistance to tribal members. In addition, the State provides no assistance to tribal members to go to college, and many students who would like to go to college are unable to do so because they cannot afford it. Unemployment on the Reservation stood at 34% in August of 1985. During the peak of the tourist season, the unemployment rate can fall somewhat below that figure, but during the winter months, unemployment levels reach as high as 42%. In recent years, estimates of tribal unemployment during the off-season have ranged as high as 65%.

The Alabama-Coushatta Indian Housing Agency manages 127 on-reservation homes built with funds from the Department of Housing and Urban Development's Mutual Help and Occupancy Home-Ownership Program. The tribal housing agency estimates that 65% of the occupants have incomes at or below the low to moderate income level for this particular rural area. Our greatest need in the housing area is that our residential septic systems are outdated and poorly designed. During the winter months, many of the septic systems simply do not work at all. In addition, we have roughly 40 homes that are in need of new roofs.

While these social and economic problems are serious, we do not regard them as insurmountable and, on the whole, we believe that our Reservation provides a beautiful and stable environment in which our people may live and raise their families. And while we look forward to becoming eligible for the same Indian services received by other Indian tribes in this country, we realize that the ultimate responsibility for the quality of our life on the Reservation lies with the Tribe itself. We believe that the enactment of H.R. 1344 will provide us with the tools to continue our development toward economic and social independence.

The greatest threat to our survival as a tribe, however, does not arise from the socio-economic situation of the tribal members. Rather, the greatest threat to our continued existence and prosperity arises from external sources and have to do with the legal status of the Tribe and its relationship with the State of Texas and the United States. Arnold Battise, a tribal member and an attorney, will now describe what we consider to be the most immediate need for Congress to act favorably on this restoration legislation.

Respectfully submitted,

Morris Bullock

TEXAS INDIAN COMMISSION

COMMISSIONERS

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Commissioner, El Paso

OWANAH ANDERSON
Commissioner, Wichita Falls

RAYMOND D. APODACA
Executive Director
9434 VISCOUNT, SUITE 122
EL PASO, TEXAS 79925
(915) 591-4461

AGENCIES

ALABAMA-COUSHATTA
INDIAN RESERVATION
Rt. 3, Box 640
Livingston, Texas 77351
(409) 563-4391

TIGUA INDIAN RESERVATION
P. O. Box 17579
Ysleta Station
El Paso, Texas 79917
(915) 859-7913

Texas Indian Commission
Resolution TIC-85-004

Pertaining to the Federal Restoration Legislation for the Alabama-Coushatta Indian Tribe and Ysleta del Sur Pueblo, the Tigua (Tiwa) Indian Tribes of Texas.

WHEREAS, the Texas Indian Commission is the Trust Agency of the State of Texas with regard to the Alabama-Coushatta and Tigua Indian Tribe, and,

WHEREAS, its main duty and responsibility as trustee is to assist these tribes in the development of their human and economic resources by improving their health, educational, agricultural, business, and industrial capacities and to insure the protection of their lands, resources, and people, and,

WHEREAS, the Commission has sought and will continue to seek to work with the tribes in a cooperative, constructive manner, to meet its legal and moral obligations, and to protect the interests of the State of Texas and the Tribes in executing these responsibilities and duties, now,

THEREFORE, the Commission, after having thoroughly studied HR 1344 (R. Coleman and C. Wilson) as introduced in the United States Congress, does agree that it is not opposed to the passage of said legislation provided that it is in the best interests of the Tribes and the insurance of their future good and welfare.

DATE: 8/23/85

APPROVED: Don Ellyson
Don Ellyson, Chairman

I certify that the foregoing Resolution has been approved and is in the minutes of the August 23, 1985 meeting of the Texas Indian Commission.

DATE 8-23-85

APPROVED: Raymond D. Apodaca
Raymond D. Apodaca
Executive Director

EC-MYC-10-84 Alabama-Coushatta Restoration

NATIONAL CONGRESS OF AMERICAN INDIANS

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SACRAMENTO AREA
Dennis Turner
Rincon Band of Luiseno

SOUTHEASTERN AREA
A. Bruce Jones
Lumbee

Resolution of the NCAI Executive Committee, May 18, 1984, in Session following the Mid-Year Conference, May 15-17, 1984, Denver, Colorado

Whereas, the State of Texas, pursuant to an 1854 Act of its Legislature, purchased an 1,100-acre Reservation held by the Alabama-Coushatta Tribe of Texas and, in 1928, the United States purchased an adjacent tract of 3,181 acres to be held in trust for the Tribe; and,

Whereas, in 1954, the United State terminated its trust relationshop with the Tribe and conveyed the Tribe's Reservation lands to the State of Texas; and,

Whereas, the termination of federal trust responsibilities was premised upon the State's express agreement to assume all the trust duties previously executed by the United States; and,

Whereas, since the 1954 Termination Act, the State has served as the Tribe's trustee, has protected the Tribe's lands and resources from taxation and alienation, and has assisted the Tribe in economic development and other areas; and,

Whereas, the Attorney General of Texas, in Opinion No. JM-17, has held that the trust relationshop between the State and the Tribe is unconstitutional and that the Alabama-Coushattas are no longer a Tribe, and the above-mentioned lands are not an Indian Reservation; and,

Whereas, the State of Texas is now taxing oil and gas development on the 1,100-acre tract, which could eventually threaten the very existence of the Reservation; and,

Whereas, as a result of the 1954 Termination Act and Opinion No. JM-17, the restricted status of the Reservation is threatened; and,

Whereas, the Alabama-Coushatta Tribe is seeking federal restoration to assure protection of its lands;

Now, Therefore, Be It Resolved, that the National Congress of American Indians supports the Alabama-Coushatta Tribe of Texas in its efforts to attain federal restoration.

804 D STREET, N.E. • WASHINGTON, D.C. 20002 • (202) 546-9404

CITIZENS
STATE BANK

P. O. BOX 109 • WOODVILLE, TEXAS 75979

JOHN W. COKER
PRESIDENT, CHIEF EXECUTIVE
OFFICER AND TRUST OFFICER

July 19, 1985

The Honorable Morris K. Udall,
Chairman
Committee on Interior and
Insular Affairs
United States House of Representatives
Washington, D.C.

Dear Congressman Udall:

I wish to express my unqualified support for H.R. 1344, a bill introduced by Representative Charles Wilson. The Alabama-Coushatta Restoration Act would restore the trust relationship between the Alabama-Coushatta Tribe and the United States.

We in East Texas regard the Alabama-Coushatta Tribe as a valued member of our community. They are a very significant part of Texas history and continue to this day to provide a richness to the lives of all the citizens in East Texas. There are very few traditional, full-blood Indian Tribes left in this country, and we consider ourselves fortunate indeed to have the opportunity to benefit from the cultural diversity afforded by this small Tribe.

While the State of Texas over the years has generally honored its historical commitments to the Tribe, a number of recent events have brought into question the State's commitment to the Tribe. Moreover, these events have, in the judgment of tribal officials, threatened the long-term security of the Reservation. Specifically, I refer to Attorney General Mattox's Opinion No. JM-17 wherein he questions the Tribe's status as a Tribe, as well as their Reservation's protected status. Apparently as a result of this opinion, the State has imposed oil and gas severance taxes and is in the process of placing Reservation property on the tax rolls. Finally, the State legislature has recently cut off state funding for the Reservation.

"GIVE US A CHANCE TO SAY YES"

It is the judgment of the Tribe, and I concur fully, that the only way the tribal government and the Reservation lands can be assued of long-term survival is through the enactment of legislation that would give the Tribe the same federal protection and services that are accorded to most of the country's other Indian Tribes.

Please give H.R. 1344 favorable consideration. Thank you.

Very truly yours,

John W. Coker

John W. Coker
President

JWC/gs

Tyler County
CHAMBER OF COMMERCE
507 North Pine St.
WOODVILLE, TEXAS 75979
Phone 409/283-2632

On July 22, 1985, at the Regular Monthly Meeting of the Tyler County Chamber of Commerce, the Board of Directors voted to adopt the following Resolution:

RESOLUTION

WHEREAS, the Alabama-Coushata Tribe has a long and distinguished record of friendship and service to the Republic of and the State of Texas; and

WHEREAS, the Alabama-Coushata Tribe has long been regarded by the citizens of East Texas and Tyler County as one of this region's most treasured resources; and

WHEREAS, it appears that the Tribe's historic relationship with the State of Texas, as well as the very survival of the Reservation and the Tribe itself, are threatened by recent actions of the Texas Attorney General and the Texas State Legislature; and

WHEREAS, H. R. 1344 has been introduced in the House of Representatives by the Honorable Charles Wilson; and

WHEREAS, such legislation, if enacted, would provide for the long-term security of the Tribe and its Reservation, as well as make the Tribe eligible for needed federal Indian services;

NOW, THEREFORE, BE IT RESOLVED, that the Tyler County Chamber of Commerce hereby urges the Congress of the United States to enact H. R. 1344 into law.

Cindy Miller
Executive Secretary

John W. Coker
President

THE COUNTY OF LIBERTY
1923 SAM HOUSTON · LIBERTY, TEXAS 77575
TELEPHONE (409) 336-8071

DEMPSIE HENLEY
COUNTY JUDGE

RECEIVED
SEP 3 1985
[illegible]

August 28, 1985

The Honorable Morris K. Udal, Chairman
Committee on the Interior & Insular Affairs
1324 Longworth House Office Building
Washington, D. C. 20515

Re: Texas Indian People and
House Bill 1344

Dear Mr. Udal:

I am writing this letter because I am very concerned about the future welfare of our Texas Indian people, namely, the Tigua Indian Tribe and the Alabama Coushatta Tribe.

It now appears that the State of Texas may renounce their obligations it undertook in 1968 and earlier obligations made by the State of Texas. I totally and completely disagree with the Texas Attorney General's recent opinion concluding that the State may not maintain a trust relationship with our Indian people. His opinion violates all prior agreements, commitments, and intent made by the State of Texas to recognize and help support our Indian people to become self reliant and self governing. The Attorney General opinion and present attitude that now exists because of the opinion in our State Capitol in the Legislature, is a major setback to our Texas Indian people and thrust them into a great deal of jeopardy.

In 1968 the Texas Legislature created the Texas Commission for Indian Affairs. I was appointed Chairman of this Commission by then Governor John Connally, and subsequently was reappointed as Chairman by three other Governors. The intent and thrust of the Commission was to "develop the economic and human resources of the Texas Indian people". For those 13 years I was Chairman, we were never once refused our badly needed appropriation request, and I feel along with a lot of other people that we made great strides in obtaining decent housing, creating tourist facilities that provided just income for our Indian people, as well as affording the citizens of this State and other states beautiful recreational facilities.

When I became County Judge some 8 years ago, I had to resign from the Commission, (dual officeship). Since that time, I have been dismayed at the treatment that our Indian people have been receiving. Texas has a long history of abuse and neglect for our Texas Indian people, and many felt that the creation of the Indian Commission at long last would give prestigious recognition to our Indian people and help them along the road of self recovery. The State of

Texas has invested a sizeable amount of money in all of these improvements, education and training, now the attitude has drastically changed. We are back on the trail of neglect and abuse of our Indian people again, and that is why I am writing you to support the above mentioned Bill that would restore the Federal trust relationship.

Frankly, I have never been a big supporter of the Bureau of Indian Affairs as I always felt strongly that the State of Texas could do a better job in helping our Indian people. However, since the position of the State Government has changed so drastically, I now find myself supporting this Bill because it will afford better protection for our Indian people. Also, this Bill will give them greater opportunity for funding medical care and education which is two of their major needs. Representative Ron Coleman's Bill will also guarantee their rights and benefits and will facilitate the needs of currently omitted services as provided by the State of Texas. This Bill will also help assure the continued existence of the Pueblo, our oldest identifiable ethnic group and the Alabama Coushatta of Southeast Texas.

It is very frustrating and disappointing to me that the State of Texas at this 11th hour renigged on its moral and legal obligations under the trust relationships that we have had in Texas for many years. As one Indian Chief told me, they compared it like being on the one foot line in a football game and ready to score the winning touchdown, and then don't have the football to cross the goal line with. This proposed Bill would restore complete Federal recognition and trust status to our Indian people. And in my view, that is far better than what appears to be a dismal, unfair, unjust and ridiculous attitude and position taken by this State in its obligations that it undertook in 1968. For this and a number of other reasons, I would respectfully ask your support for the passage of this Bill.

I am a constitutional county judge here in Texas and if I can so arrange my schedule, I would be happy to appear before your Committee at anytime that would be appropriate.

Thanking you for your interest in this matter, I am

Sincerely yours,

Dempsie Henley
County Judge

EDITORIAL PAGE

THE TYLER COUNTY

BOOSTER

SERVING TYLER COUNTY SINCE 1930

THE TYLER COUNTY BOOSTER September 12, 1985

Imaginary Indians?

Do we still have Indian Tribes living in Texas?

The question might surprise us in this area living adjacent to the Alabama-Coushatta Reservation as we do. You might find it even more surprising that, according to the "dunderhead legal opinion" delivered by Texas Attorney General Jim Mattox in March, 1983, the 500 or so "full blooded" Alabama-Coushatta Indians living to the west of us are not an Indian Tribe and the 6400 acre tract of land they live on is not a Reservation.

Mattox, showing a dim-witted understanding of Texas History and legal heritage says in his modern Dred Scott Decision that there is no such thing as an Alabama-Coushatta tribe in spite of a 174-year-old relationship with the state of Texas. Apparently, according to Maddox, there is only a "private unincorporated association" of Indians which exists as our neighbors to the west; sort of like an Indian Lion's Club or Elk's Club!

Now to add ignomy to error, the state legislature has seen fit to follow Mattox' lead and cut off the Reservation from state funding. Needless to say, state and local tax collectors have beat a fast path to the reservation's door and even the means to breaking up the reservation seems in the realm of the possible.

Texas Congressmen Charles Wilson and Ron Coleman have introduced legislation on which hearings will beheld in October. This legislation would place the East Texas Alabama-Coushatta and El Paso area Tigua tribes back into the Federal Indian Reservation system while allowing Texans the opportunity to redeem themselves so as not to welch on their past committments and resume their "Trust relationship with these tribes". This is good legislation and deserves the support of Tyler Countians.

In addition, it needs to be made clear to our state officials that they cannot renig on this 174-year old committment to the Alabama-Coushatta Tribes. A report to the state legislature on conditions on the Alabama-Coushatta Reservation in 1929 stated the nature of that relationship clearly: "No group of citizens can point with more pride to past services rendered to the Republic and to the state than can these Red Skins of Texas' Big Thicket". The report concludes: "The responsibility of caring for these citizens rests upon the state and the nation".

The nature of the needs of the Alabama-Coushatta has changed since 1929 and the most basic need of the Reservation today appears to be the need for a chance to survive. If action is not taken now, the danger exists that we could witness the break-up of the tribal lands and thereby contribute to the end of the unique ages-old tribal culture, traditions and language of our Indian neighbors.

J.L.T.

RESOLUTION

WHEREAS, the Alabama and Coushatta Tribes have occupied the lands of the Big Thicket in Texas since the late eighteenth century; and

WHEREAS, Chief Colita was a staunch friend of Sam Houston during the Texas Revolution and the Tribes rendered invaluable assistance to the Republic and to the State of Texas; and

WHEREAS, the State of Texas has enjoyed a rich and continuous relationship with the Tribe dating from the days of the Texas Republic; and

WHEREAS, in 1854 the State of Texas purchased a Reservation as a home for the Tribe in Polk County, Texas, and the Tribe has since resided on that Reservation; and

WHEREAS, the friendship and cooperation of the Alabama-Coushatta Indian Tribe of Polk County, Texas, has been valued by the citizens of Polk County and the State of Texas since the days of Sam Houston; and

WHEREAS, it appears to this Commissioners' Court that the long-term security of the Tribe and its Reservation is jeopardized by the lack of permanent protections that are afforded to most other Indian Tribes by the provisions of federal law, as well as by recent actions of the Texas State Legislature, the Texas Attorney General and other state agencies which have resulted in State funds to the Reservation being cut off and Reservation resources being taxed for the first time in the history of the Reservation; and

WHEREAS, as a result of these recent actions it appears that the State of Texas may be renouncing both its historical protective relationship with the Tribe as well as the commitments made to the United States Congress in 1954 that it would assume the federal government's trust responsibilities to the Tribe; and

WHEREAS, the Alabama-Coushatta Tribe would benefit from the protection and services accorded to Indian Tribes by the Federal Government;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners' Court of Polk County, Texas, does hereby endorse the passage of H.R. 1344, introduced by Congressman Charles Wilson, to restore the trust relationship between the United States and the Alabama-Coushatta Tribe.

AUGUST
ENACTED this 12th day of ~~July~~, 1985.

WAYNE K. BAKER
COUNTY JUDGE

H. N. DENHAM
COMMISSIONER, PRECINCT NO. 1

R. D. CUNNINGHAM
COMMISSIONER, PRECINCT NO. 2

JAMES J. PURVIS
COMMISSIONER, PRECINCT NO. 3

Paul Harrell
PAUL HARRELL
COMMISSIONER, PRECINCT NO. 4

ATTEST:

ALINE STEPHENSON
COUNTY CLERK

RESOLUTION

WHEREAS, the Alabama and Coushatta Tribes have occupied the lands of the Big Thicket in Texas since the late eighteenth century; and

WHEREAS, Chief Colita was a staunch friend of Sam Houston during the Texas Revolution and the Tribes rendered invaluable assistance to the Republic and to the State of Texas; and

WHEREAS, the State of Texas has enjoyed a rich and continuous relationship with the Tribe dating from the days of the Texas Republic; and

WHEREAS, several eighteenth and nineteenth century tribal village sites, including Peach Tree Village, Cane Island Village and Fenced-In Village, are located in Tyler County; and

WHEREAS, in 1854 the State of Texas purchased a Reservation as a home for the Tribe in neighboring Polk County, Texas, and the Tribe has since resided on that Reservation; and

WHEREAS, the friendship and cooperation of the Alabama-Coushatta Indian Tribe has been valued by the citizens of Tyler County and the State of Texas since the days of Sam Houston; and

WHEREAS, it appears to this Commissioners' Court that the long-term security of the Tribe and its Reservation is jeopardized by the lack of permanent protections that are afforded to most other Indian Tribes by the provisions of federal law, as well as by recent actions of the Texas State Legislature, the Texas Attorney General and other state agencies which have resulted in State funds to the Reservation being cut off and Reservation resources being taxed for the first time in the history of the Reservation; and

WHEREAS, as a result of these recent actions it appears that the State of Texas may be renouncing both its historical protective relationship with the Tribe as well as the commitments made to the United States Congress in 1954 that it would assume the federal government's trust responsibilities to the Tribe; and

WHEREAS, the Alabama-Coushatta Tribe would benefit from the protection and services accorded to Indian Tribes by the Federal Government;

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners' Court of Tyler County, Texas, does hereby endorse the passage of H.R. 1344, introduced by Congressman Charles Wilson, to restore the trust relationship between the United States and the Alabama-Coushatta Tribe.

EMACTED this 3rd day of July, 1985. by Tyler County Commissioners Court in Regular Session

Allen Sturrock, County Judge

Attest:

Grace Bostick

Grace Bostick, County Clerk

RESOLUTION

WHEREAS, The Alabama and Coushatta Tribes have occupied the lands of the Big Thicket in Texas since the late eighteenth century; and

WHEREAS, Chief Colita was a staunch friend of Sam Houston during the Texas Revolution and the Tribes rendered invaluable assistance to the Republic and to the State of Texas; and

WHEREAS, The Alabama-Coushatta from the time of their settlement in East Texas in the late eighteenth century to when Texas was admitted to the United State of America, made use of the area for building village sites, hunting, fishing, gathering food, planting crops and other needs consistent with aboriginal occupation; and

WHEREAS, in 1854, the State of Texas purchased a Reservation as a home for the Tribe in neighboring Polk County, Texas, and the Tribe has since resided on that Reservation; and

WHEREAS, the friendship and cooperation of the Alabama-Coushatta Indian Tribe has been valued by the citizens of East Texas and the State of Texas since the days of Sam Houston; and

WHEREAS, it appears that the long-term security of the Tribe and its Reservation is jeopardized by the lack of permanent protections that are afforded to most other Indian Tribes by the provisions of federal law, as well as by recent actions of the Texas State Legislature, the Texas Attorney General and other state agencies which have resulted in state funds to the Reservation being cut off and Reservation resources being taxed for the first time in the history of the reservation; and

WHEREAS, as a result of these recent actions it appears that the State of Texas may be renouncing both its historical protective relationship with the Tribe as well as the commitments made to the United States Congress in 1954 that it would assume the federal government's trust responsibilities to the Tribe; and,

WHEREAS, the Alabama-Coushatta Tribe would benefit from the protection and services accorded to Indian Tribes by the Federal Government;

NOW, THEREFORE, BE IT RESOLVED, that the Deep East Texas Council of Governments does hereby endorse the passage of H.R. 1344, introduced by Congressman Charles Wilson, to restore the trust relationship between the United States and the Alabama-Coushatta Tribe.

PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE DEEP EAST TEXAS COUNCIL OF GOVERNMENTS AND ECONOMIC DEVELOPMENT DISTRICT, THIS THE 22nd day of AUGUST, 1985.

DEEP EAST TEXAS COUNCIL OF GOVERNMENTS
AND ECONOMIC DEVELOPMENT DISTRICT

R Baker
Honorable Wayne Baker   DETCOG President
Polk County Judge

ATTEST:

C E Stewart
C. E. STEWART   DETCOG SECRETARY
Jasper City Councilman

CONSTITUTION & BY LAWS

OF THE

ALABAMA-COUSHATTA
INDIAN TRIBES

LIVINGSTON, TEXAS

CONSTITUTION AND BY LAWS OF THE ALABAMA AND COUSHATTA TRIBES OF TEXAS

PREAMBLE

We, the Alabama and Coushatta Tribes of Texas, in order to organize for the common welfare of ourselves and our posterity and to insure domestic tranquility; to conserve and develop our natural resources; to form business and other organization; to enjoy certain rights of home rule; to provide education in schools of higher learning including vocational, trade, high schools and colleges for our people do ordain and establish this Constitution.

ARTICLE I — TERRITORY

This Constitution shall apply to the territory within the present confines of the Alabama and Coushatta Reservation, and to any and all Future additions of land acquired within or without said boundary lines.

ARTICLE II — MEMBERSHIP

SECTION 1. The Membership of the Alabama and Coushatta Tribes of Texas shall consist of:

(a) All persons whose names appear, or are entitled to appear, on the roll of the Alabama and Coushatta Tribes of Texas as of June 16, 1971, PROVIDED, That after the adoption and approval of this Constitution additions and eliminations may be made in said roll by the Tribal Council.

(b) All children born to any member of the Alabama and Coushatta Tribes of Texas, provided both parents are of all Indian blood, and are residents of the Reservation at the time of the birth of said children.

(c) All children born to any member of the tribe who is not a resident of the reservation at the time of birth of said children may be admitted to membership by the Tribal Council under ordinances enacted by Tribal Council which shall be subject to review by the Texas Commission of Indian Affairs provided such children reside on the Reservation at the time they make application and both parents are of all Indian blood.

SECTION 2. The Tribal Council shall maintain a conclusive membership to be known as OFF-RESERVATION ACTIVE/INACTIVE ROLL OF THE ALABAMA-COUSHATTA INDIAN TRIBE in addition to RESIDENTIAL MEMBERSHIP ROLL and shall be published annually.

SECTION 3. Any Alabama and/or Coushatta Indian who loses his or her privileges as residential members of the Alabama and Coushatta Indian Reservation shall still be recognized as members of these tribes and listed on the OFF-RESERVATION ACTIVE/INACTIVE ROLL OF THE ALABAMA-COUSHATTA INDIAN TRIBE.

SECTION 4. Any Alabama and/or Coushatta Indian with membership in good standing on the Alabama-Coushatta Indian Reservation who marries a non-Indian shall terminate his or her privileges as residential member of the Alabama-Coushatta Indian Reservation and will not reside thereon. Their names shall be removed from the RESIDENTIAL MEMBERSHIP ROLL AND TRANSFERRED to the OFF-RESERVATION INACTIVE ROLL.

SECTION 5. Reinstatement. Reinstatement of members upon written application shall be approved by the Tribal Council.

SECTION 6. Adoption. Requests for adoption of Indians into the membership of the tribe shall be made by written application to the Tribal Council. The decisions of the Tribal Council shall be subject to popular vote at the next election.

SECTION 7. Any Louisiana Coushatta Indian who marries a Coushatta or Alabama Indian living on the Alabama and Coushatta reservation shall be a member of the tribe but no such person may vote in any tribal election unless he is 21 years of age or over and has maintained in continuous residence within the reservation for a period of one year immediately prior to the date of such election.

SECTION 8. Continuous absence from the jurisdictional boundaries of the Alabama and Coushatta Tribes of Texas for a period of five years shall operate to terminate OFF-RESERVATION ACTIVE membership in the tribe, unless the Tribal Council shall upon notification application from the non-resident member within said five-year period, extend the membership of such individual.

SECTION 9. The Tribal Council shall have power to promulgate ordinances, subject to review by the Texas Commission of Indian Affairs governing future membership, including adoptions and the loss of membership.

SECTION 10. Nothing contained in this article shall be construed to deprive any Alabama or Coushatta Indian of any vested property right.

ARTICLE III — GOVERNING BODY

SECTION 1. The governing body under this Constitution and By-Laws shall be known as the Tribal Council, and shall be composed of seven members to be elected by the people. The Chief of the Alabama and Coushatta Tribe shall be an advisory member and shall vote only to break a tie.

SECTION 2. The Council member shall be elected by the people for a period of three years, and all council members shall be eligible for re-election at the end of each term of office. The procedure of election shall be decided by the qualified voters in public assembly. At each election assembly a temporary election chairman and secretary shall be selected by the Tribal Council in power, under such rules and regulations as the Tribal Council may prescribe.

SECTION 3. The officers of the Tribal Council shall be the Chairman, Vice-Chairman, the Secretary and the Treasurer, who shall be selected by the Tribal Council from its own membership at the first meeting of the newly elected Council. The officers shall serve until the next regular election.

SECTION 4. At the election to be held on June 18, 1971, two council members will be elected for a one year term. Each year thereafter, two Council members will be elected, each to serve a three-year term. All elections shall have all the rights and powers and shall be subject to the limitations and restrictions provided for the Tribal Council in this Constitution and By-Laws. Thirty days' notice of every regular election of council members shall be given by the Tribal Council. Each Tribal Council member elected under this Constitution shall take office immediately after its election.

SECTION 3. The Tribal Council shall have authority to appoint subordinate officers, boards and committees.

ARTICLE IV — POWERS

SECTION 1. Enumerated Powers. The Tribal Council shall exercise the following powers, subject to any limitations imposed by the Constitution or statutes of the United States or the State of Texas and subject further to all express restrictions upon such powers contained in this Constitution and the attached By-Laws.

(a) To negotiate with the Federal, State, and local governments on behalf of the tribe, and to advise and consult with the representatives of the Texas Commission for Indian Affairs on all activities of the Commission that may affect the Alabama and Coushatta Tribes.

(b) To employ for the protection and advancement of the rights of the tribe and its members.

(c) To approve or veto any sale, disposition, lease, or encumbrance of tribal lands, interests in lands or other tribal assets, PROVIDED, That no reservation lands shall ever be leased for a period exceeding ten years, sold, or encumbered, except for governmental purposes, PROVIDED HOWEVER, that reservation land may be leased for a term up to 50 years to tribal members.

(d) To make assignments of tribal land to members for the tribe and regulate the cutting of timber.

(e) To manage all Economic affairs and enterprises of the tribe.

(f) To appropriate for public purposes of the Alabama and Coushatta Tribes of Texas available funds of the tribe subject to review by the Texas Commission of Indian Affairs.

(g) To levy assessments upon residents of the reservation and to require performance of reservation labor in lieu thereof, PROVIDED HOWEVER, That any such assessment upon members of the tribe shall have the approval of eligible voters shall vote.

(h) To safeguard and promote the peace, safety, morals, and general welfare of the tribe by regulating the conduct of trade and the use and disposition of property upon the reservation; PROVIDED, That non-restricted property of members which was obtained outside of any help or assistance of the Government of the tribe may be disposed of by the owner without restrictions.

(i) To regulate the inheritance of property, real and personal, within the territory of the Alabama and Coushatta Indian Reservation.

(j) To regulate the manner of making nominations for tribal offices and or holding elections.

(k) To adopt resolutions regulating the procedure of the Tribal Council itself and of other tribal agencies and tribal officials.

(l) To encourage and foster the arts, crafts, traditions and culture of the Alabama and Coushatta Tribes.

(m) To charter subordinate organizations for economic purposes and to regulate the activities of cooperative associations of members of the tribe.

(n) To protect and preserve the property, wild life, and natural resources of the tribe.

(o) To delegate to subordinate boards of tribal officials, or to cooperative associations which are open to all members of the tribe, any of the foregoing powers, reserving the right to review any actions taken by virtue of such delegated powers.

SECTION 2. Any resolution or ordinance, which by the terms of the Constitution is the subject to review by the Texas Commission of Indian Affairs, shall be presented to the Superintendent of the Alabama and Coushatta Tribes who shall, within 15 days thereafter, approve or disapprove the same. If the Superintendent shall approve any ordinances or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Texas Commission of Indian Affairs who may, within 90 days from the date of enactment, approve the same in writing.

If the Superintendent shall refuse to approve any resolution or ordinance submitted to him, within 15 days after its enactment he shall advise the Tribal Council of his reasons therefore. If these reasons appear to the Council insufficient it may, by a majority vote, refer the ordinance or resolution to the Texas Commission of Indian Affairs who may, within 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

SECTION 3. Future Powers — The Tribal Council may exercise such further powers as may in the future be delegated to the tribe and duly authorized official or agency of the State or Federal Government or by members of the tribe.

SECTION 4. Reserved Powers—Any rights and powers heretofore vested in the Alabama and Coushatta Tribes of Texas, but not expressly referred to in this Constitution, shall not be abridged by this article, but may be exercised by the people of the tribe through the adoption of appropriate By-Laws and Constitutional Amendments.

SECTION 5. Resource Powers — The Tribal Council shall have authority to negotiate, enter into and consummate transactions borrowing money for the purpose of creating industry to provide employment for Reservation Members and revenue for Tribal Projects and Programs, provided that no mortgages or liens against Tribal properties are made.

ARTICLE V — ELECTIONS

SECTION 1. All recognized members of the Alabama and Coushatta Tribes, 21 years of age and over, who have maintained continuous residence within the reservation for a period of six months immediately prior to the date of election, shall be qualified voters.

SECTION 2. Any person elected to office shall be not less than 25 years of age, a member of the Alabama and Coushatta Tribes and a bona fide resident of the reservation for not less than one year preceding the date of election: PROVIDED, HOWEVER that the requirement of residence as to any particular candidate, may be voided by consent of a majority of the qualified voters of the Alabama and Coushatta Tribes at any election assembly.

ARTICLE VI — REMOVAL

SECTION 1. The Tribal Council may by an affirmative vote of five members expel any member for neglect of duty or gross misconduct. Before any vote for expulsion is taken on the matter, such member shall be given an opportunity to answer any and all charges at the designated Council meeting; the decision of the Tribal Council shall be final.

SECTION 2. The Tribal Council shall have power to fill vacancies created by reason of death, removal from office, resignation, or otherwise until the next regular election.

ARTICLE VII — REFERENDUM

Any action of the Tribal Council under any of the enumerated powers lodged in the Tribal Council by this constitution and By-Laws shall be subject to a referendum vote of the people upon a written petition signed by not less than 25 per cent of the total number of votes cast in the last election.

ARTICLE VIII — LAND

SECTION 1. Tribal lands of the Alabama and Coushatta Tribes and all lands which may hereafter be acquired by the Tribe or by the United States or the State or the State of Texas in trust for the tribe shall be held as tribal lands, and no such lands shall be mortgaged or sold.

SECTION 2. The Tribal Council may consolidate inherited land holdings by purchase, exchange, gift, on voluntary relinquishment, and may reassign such land in the public interest.

SECTION 3. Tribal lands shall not be allotted to individual Indians, but such tribal as are not required for school, agency or other administrative use may be assigned by the Tribal Council to members of the Alabama and Coushatta Tribes, or may be leased or otherwise used by the tribe as hereinafter provided for.

SECTION 4. Tribal lands may be leased by the Tribal Council with the approval of the Texas Commission of Indian Affairs or his authorized agent in accordance with law. Preference shall be given, first, to Indian cooperative associations, and second, to the individual Indians who are members of the Alabama-Coushatta Tribes. No lease of tribal lands to a non-member shall be made by the Tribal Council unless it shall appear that no Indian cooperative association or individual member of the tribe is able and willing to use the land to pay a reasonable fee for such use

SECTION 5. In any assignments of tribal lands which are now owned by the tribe or which may hereafter be aquired for the tribe by the United States or State of Texas or purchased by the tribe out of tribal funds, or which may be designated for the use of the tribe, preference shall be given, first, to heads of families who have already received assignments consisting of less than an economic unit of agricultural land or other land or interests in land of equal value, such economic unit to be determined by ordinances of the Tribal Council, which shall be subject to review by the Texas Commission of Indian Affairs or a designated representative. Assignments made under this section shall be known as standard assignment.

The Tribal Council may, if it sees fit, charge an assignee a fee according to a scale adopted by the Council, on approval of an assignment made under this section.

SECTION 6. If any person holding a standard assignment of land shall for a period of two years fail to use the land so assigned or shall use the land for any unlawful purpose, his assignment may be canceled by the Tribal Council after due notice and opportunity to be heard. Such land may then be available for reassignment.

Upon the death of any Indian holding a standard assignment his heirs or other individuals designated by him by written request shall have preference in the reassignment of the land provided such persons are eligible to receive a standard assignment.

SECTION 7. Any member of the Alabama and Coushatta Tribes who owns a piece of land or any share in heirship land or any deeded land, may, transfer his interest in such land to the tribe, receiving in return therefore an assignment in the same land or other land or equal value, or he may receive a proportionate share in a unit of agricultural, grazing or other land, or a certificate of representing its current market value.

Assignments made under this section shall be known as exchange assignments.

SECTION 8. Upon the death of a holder of an exchange assignment, the land shall be reassigned by the Tribal Council to his heirs or devisees subject to the following conditions.

(a) Such lands may not be reassigned to any heir or devisee who already owns or hold more than an economic unit of land. Such economic unit of land shall be determined by the Tribal Council.

(b) Such lands may not be reassigned to any heir or devisee who is not a member of the Alabama and Coushatta Tribes except that a life-assignment may be made to the surviving spouse or child of such assignment, provided the spouse is a full-blood Indian.

(c) Such land may not be subdivided into units too small for practical use. The Tribal Council shall determine the practical subdivision of the land in each case. If the land cannot be properly subdivided, the Tribal Council may issue to each heir or devisee a proportionate share in other lands or other interests in land of equal value.

(d) If there are no eligible heirs or devisees of the decendent, the land shall be eligible for reassignments, the same as other tribal lands.

SECTION 9. Improvements of any character made upon assigned land may be willed to and inherited by members of the Alabama and Coushatta Tribes. When improvements are not possible of fair division, the Tribal Council shall dispose of them under such regulations as it may provide for the benefit of the heirs. No permanent improvements may be removed from any tribal or assigned land without the consent of the Tribal Council.

SECTION 10. No member of the Alabama and Coushatta Tribes may use or occupy tribal lands, except under the assignment or lease.

SECTION 11. Unassigned land shall be managed by the Tribal Council for the benefit of the members of the entire tribe.

SECTION 12. Available tribal funds may be used, with the consent of the Texas Commission of Indian Affairs, to acquire land for the Alabama and Coushatta Tribes.

SECTION 13. The right to determine the amount of land and make assignment to each lawful assignee shall vest in the Tribal Council.

ARTICLE IX — AMENDMENTS

This Constitution and By-Laws may be amended by a majority vote of the qualified voters of the Alabama and Coushatta Tribes voting at any annual election on the third Wednesday of June provided at least 30 percent of those entitled to vote shall vote in such elections, but no amendment shall become effective until it shall have been approved by the Texas Commission of Indian Affairs. All proposed amendments must be approved by the Tribal Council and submitted at the annual election.

BY-LAWS OF THE ALABAMA AND COUSHATTA TRIBES OF TEXAS

ARTICLE I — DUTIES OF OFFICERS

SECTION 1. The duties of the officers of the Tribal Council shall be as follows:

(a) The Chairman of the Tribal Council shall preside at all meetings of the Council. He shall also be the presiding officer at any public assembly meeting which may be duly called in accordance with the Constitution. He shall at all times have general supervision pertaining to general welfare of the community. It shall also be the duty of the Chairman to countersign all checks drawn against funds of the organization by the Treasurer.

(b) The Vice-Chairman shall preside at all meetings of the Tribal Council in the absence of the Chairman and shall act in his stead in all matters pertaining to the office of the Chairman.

(c) The Secretary shall keep an accurate record of all proceedings of the Tribal Council and furnish copies thereof to the Superintendent. He shall be responsible for the prompt and efficient handling of all correspondence pertaining to the business of the tribal organization. All official records of the tribal Secretary shall be open to inspection by the members of the tribe at all times.

(d) The Treasurer shall be the custodian of all funds in possession of the tribe from any source. He shall be under bond to a surety company of recognized standing in an amount to be determined by and shall disburse the same in accordance with the vote of laws. The books of the Treasurer shall be open to audit and examination by the duly authorized officers of the State of Texas at all times and shall be open to inspection by members of the Tribal Council and its officers.

SECTION 2. The subordinate officers, boards, and committees of the Tribal Council shall perform such duties as the Tribal Council shall, by resolution from time to time, provide.

ARTICLE II — OATH

SECTION 1. All officers when elected shall be duly installed and subscribe to an oath of office to support the Constitution of the United States and this Constitution. Such oaths may be sworn to by any officer qualified to administer an oath.

ARTICLE III — SALARIES AND EXPENDITURES OF TRIBAL FUNDS

SECTION 1. The expenditures of funds belonging to the Tribe must first be approved by a majority vote of the Tribal Council at a regular stated meeting.

SECTION 2. The members of the Tribal Council, boards and committees shall be paid for services rendered in the interest of the community welfare from funds within the exclusive control of the tribe when previously authorized by the Tribal Council.

SECTION. 3. All salaries proposed by the Tribal Council for tribal officials to be paid from funds within the exclusive control of the tribe must be approved by the tribe at a popular referendum.

ARTICLE IV — MEETINGS

SECTION 1. Stated meetings shall be held at such times as the TRIBAL Council shall by resolution provide. Called meetings shall be held at the discretion of the Chairman or upon request of three members of the council. Three days' written notice shall be given to all members; PROVIDED, HOWEVER, that emergency meetings may be called at anytime.

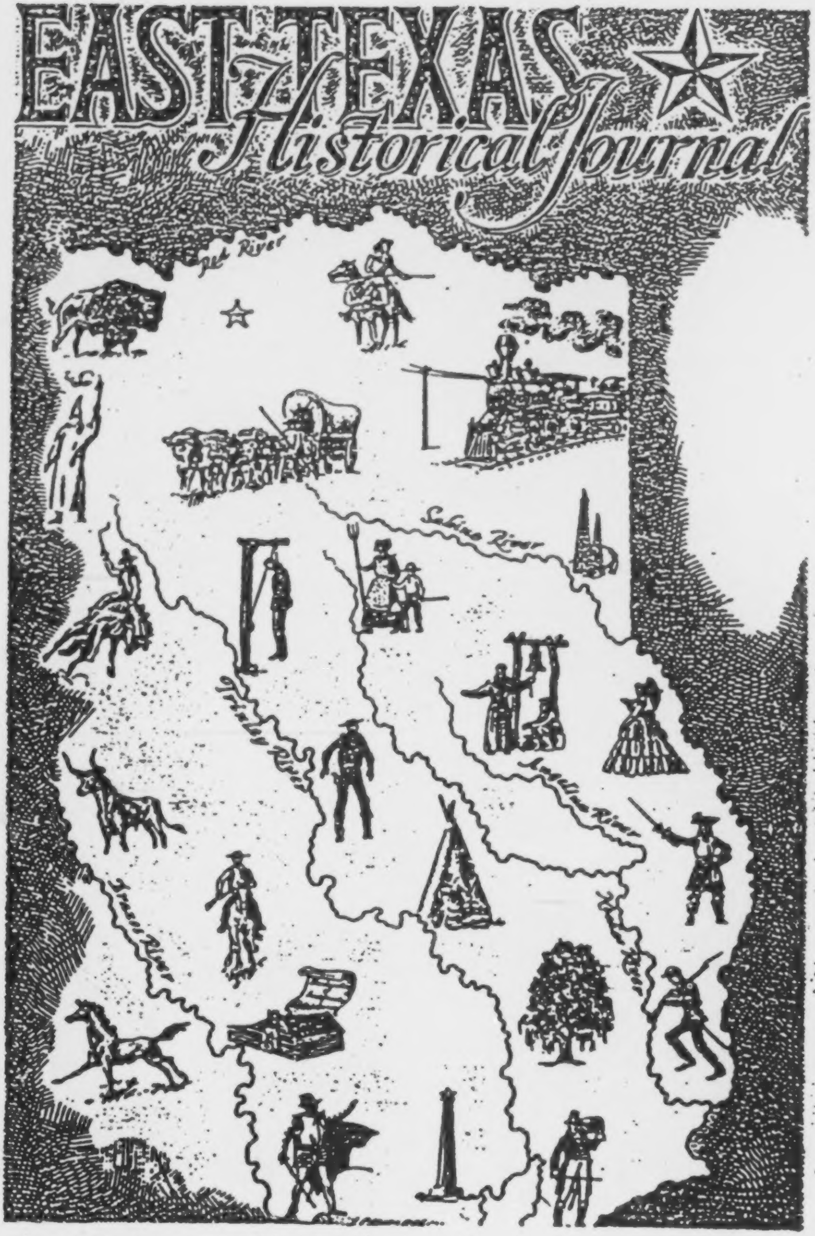
SECTION 2. Five members shall constitute a quorum.

SECTION 3. The Tribal Council shall set forth such rules of order for its desires.

SECTION 4. Council meetings, with the exception of executive sessions, shall be public to the tribe.

ARTICLE V — ADOPTION OF CONSTITUTION AND BY-LAWS

This Constitution and By-Laws shall be approved by the majority of the Tribal Council, the Texas Commission of Indian Affairs and shall become effective when ratified by a majority vote at a special election, PROVIDED at least 30 percent of those entitled to vote shall vote in such election.



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Archie P. McDonald, Editor
STEPHEN F. AUSTIN STATE UNIVERSITY P.O. BOX 6223
NACOGDOCHES, TEXAS 75962

POLK COUNTY INDIANS: ALABAMAS, COUSHATTAS, PAKANA MUSKOGEES

by Howard N. Martin

INTRODUCTION

A small group of armed settlers moved quietly across the prairie to form a tight circle around an Indian camp near the Lower Brazos Reserve in North Central Texas. Clouds obscured the moon and accentuated the darkness of that December night in 1858.

In the distance a coyote howled. But in the Indian camp there was no sound or movement among the Anadarko and Caddo men, women, and children. No one stood guard while the seventeen Indians slept.

After the Texans had taken positions around the Indians, the leader rose to a standing position and began firing a shotgun into the camp. The other men also opened fire. At point-blank range the blazing guns took frightful toll. Seven of the Indians were killed instantly; most of the others were seriously wounded.[1]

Indian Agent Robert S. Neighbors immediately appealed to Texas Governor H.R. Runnels for prompt action against the murderers of these peaceful Indians. The agent pointed out that these Indians had received permission to leave the Lower Brazos Reserve to go on a hunting trip in nearby Palo Pinto County, they had harmed no one, and they were the innocent victims of vengeful white settlers.[2]

Details of this event must be recorded among the more tragic incidents in the history of this state's relations with its Indian population. The misfortune of the Anadarko and Caddo Indians on this occasion, however, proved to be a lucky break for the Indian tribes — Alabamas, Coushattas, and Pakana Muskogees — living in Polk County, Texas.

Prior to the 1858 massacre of these peaceful Anadarko and Caddo Indians, the State of Texas had attempted to move the Polk County Indians to the Lower Brazos Reserve, an Indian reservation located south of Graham in present Young County, Texas. This plan for removal was abandoned, however, when news of the Anadarko-Caddo tragedy spread across Texas.

This incident was one of the most significant turning points in the history of Polk County's Indian residents and provides a partial answer to the questions of observers today who, noting the isolation of this county's Indian population from all other tribes, might wonder: How have the Alabamas and Coushattas managed to remain in their Polk County homes when the other Texas Indians except the Tiguas, near El Paso, were either exterminated or driven outside the state's borders?

IDENTIFICATION OF POLK COUNTY INDIAN TRIBES

The Alabamas and Coushattas, although recognized as two separate tribes, have been closely related throughout their history. Both of Muskhogean stock, they lived in adjacent areas in Alabama, followed similar migration routes westward, and settled in the same area of the Southeast Texas Big Thicket. Culturally these two tribes have always been one people, in spite of minor differences. Their languages are mutually understandable, although many disparities are found in individual words.[3] The closest tie has been that of blood: intermarriage has been the rule since earliest times.[4]

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An early interpretation of "Alabama" indicated that the name meant "Here we rest." This explanation was generally accepted until Dr. T.M. Owen, Director of the Alabama State Department of Archives and History, pointed out in 1921 that "Alabama" is derived from a combination of words meaning "vegetation gatherers." "Coushatta" is a popular form of "Koasati," which probably contains the words for "cane," "reed," or "white cane."[5]

Alabamas and Coushattas were members of the Upper Creek Confederacy, an organization built around a group of dominant tribes called Creek or Muskogee (also spelled Muscogie) and located primarily in the present state of Alabama. A cardinal objective of the Creek Confederacy was to achieve a defensive alliance against common enemies, among whom were the English settlers along the Atlantic Coast and the Choctaw Indians in the territory that included Mississippi and parts of Alabama and Louisiana.[6]

Polk County's Indian population contains not only the Alabamas and Coushattas, but also the descendants of a third and much smaller tribe: the Pakana Muskogees. The Pakana Muskogees lived near the Alabamas and Coushattas in the vicinity of Montgomery, Alabama; and they, too, left the present state of Alabama in 1763 and migrated to Louisiana. Unlike the Alabamas and Coushattas, however, the Pakana Muskogees remained in Louisiana for some seventy years before crossing the Texas-Louisiana border to build new homes near the present town of Onalaska in western Polk County.[7]

THE TRIAL WEST FOR THE ALABAMA TRIBE

The first written references to the Alabamas, dated 1541, relate the contacts of the explorer Hernando De Soto with these Indians, probably within the present state of Mississippi.[8] After De Soto, the Alabamas are lost to view until the appearance of the French in the region bordering the Gulf of Mexico. The Alabamas, who had migrated eastward during the intervening one and a half centuries, then lived near the junction of the Coosa and Tallapoosa Rivers, the two main tributaries of the Alabama River.[9]

While the French were establishing themselves at Mobile, they became involved in some small skirmishes with the Alabama and Mobile tribes of Indians. Peace was soon established, however, and thereafter the French and the Alabamas remained good friends. This friendship was cemented in 1714 by the establishment of Fort Toulouse in the heart of the Alabamas' homeland — at the confluence of the Coosa and Tallapoosa Rivers, near the current site of Montgomery, Alabama.[10]

In 1763 the struggle between England and France for supremacy in America ended, and control of the Alabamas' territory passed to the English. When the English arrived in the Alabama River region to establish their administrative framework, substantial numbers of the Indians in that area moved westward, having been convinced by the French that the English were their enemies.

In their westward migration, it is likely that the Alabamas traveled by water to avoid the country of the Choctaws, their enemies in western Alabama, Mississippi, and eastern Louisiana.[11] After descending the Alabama River to Mobile, they probably used a well-known route along the coasts of Alabama and Mississippi, then through Lakes Pontchartrain and Maurepas, up the Amite River, and finally through the Iberville or Manchac River to the Mississippi River.[12]

After entering Louisiana the mainstream of Alabama movement was westward across the southern part of that state. Small groups settled along the Red River and in other sections of the state, but the largest concentration of Alabamas was near Opelousas.[13]

In the 1780s — within two decades of beginning their westward migration — the Alabamas began moving into Spanish Texas.[14] Here the Indians found a welcome, since the Spanish considered Texas to be the outer cordon standing guard against first the French and then, after 1803, the Americans. From the Spanish point of view, maintenance of this Texas defense line depended substantially upon the loyal service of the friendly Indian tribes between the Trinity and Sabine Rivers.[15] Only 30 cavalrymen, stationed in Nacogdoches, were available to patrol the long border between Texas and Louisiana. Accordingly, Spain appropriated large sums of money to buy clothing, medals, guns, knives, and other gifts for the Indians. These gifts were presented to Indians who visited Nacogdoches, the Spanish headquarters in East Texas.[16]

Dr. John Sibley, the American agent in Natchitoches, Louisiana, also realized the importance of influencing the border Indians. His trading post was a popular gathering point for Indians in the area. Here the Alabamas and other tribes expressed loyalty to the Americans and received gifts. Then, at the first opportunity, they would travel to Nacogdoches for Spanish gifts and friendship. The Alabamas clearly understood that the Spanish and the Americans were engaged in a tug-of-war for their loyalty, and they capitalized on the opportunities inherent in this conflict.[17]

By 1805 the Alabamas had established a village on the Angelina River and had built homes along Attoyac Bayou and the Neches River.[18] In 1809 the combined population of Alabamas and Coushattas within seventy miles of Nacogdoches totaled approximately 1,650 persons.[19]

In 1830 the Alabamas lived in three communities in northwestern Tyler County. The largest and most prominent of the Alabama villages or settlements was Peachtree Village, located about two miles north of the present town of Chester. The Alabama Trace and the Coushatta Trace passed through this village, and it was the northern terminus of Long King's Trace.[20]

Fenced-in Village ranked second in importance among the Alabama tribal settlements in the Big Thicket region. It was located on the Liberty-Nacogdoches Road about five miles southeast of Peachtree Village in northwestern Tyler County.[21]

The third of these Alabama communities, Cane Island Village, was located between Peachtree Village and Fort Teran on the Neches River, about 22 miles northwest of the present city of Woodville. The late Chief Bronson Cooper Sylestine stated that the Alabamas frequently referred to this village as the "Flea" Village.[22]

Archival and documentary sources provide several estimates of Alabama and Coushatta population. Sharp differences among these estimates suggest that some estimates may not have included entire villages, communities, or tribes, but only portions of tribal settlements.

As an illustration, assume that a traveler in the Big Thicket rode into a clearing and counted ten houses belonging to members of the Alabama tribe. Using a factor of five persons per household, he probably would estimate the population of the village at about fifty persons. But the houses seen on an initial inspection might represent only the center, or core area, of the Alabama community. Typically, an Alabama (or Coushatta) town consisted of a succession of neighborhoods scattered through the woods and connected by a network of trails — a pattern which may be observed on the present Alabama-Coushatta Reservation.[23]

During the Texas War for Independence the Alabamas remained neutral, according to a tradition that is still known among the Indians now living on the

Alabama-Coushatta Reservation. A few moved to the Opelousas district of Louisiana until the end of the war; those who remained in Texas fed the white settlers who passed through the Alabama villages in the "Runaway Scrape."

In 1840 the Republic of Texas Congress granted the Alabamas two leagues of land which included Fenced-in Village.[24] When surveyors came to survey this land, the Alabamas, thinking the grant was for white settlers, departed for other homesites, leaving their hogs, cattle, and two hundred acres of fenced land suitable for cultivation.[25]

The Alabamas drifted southward and formed a village near the junction of Big and Little Cypress Creeks. In 1852 James Barclay, later a state agent for the Alabamas, purchased the land on which the Alabamas were living, and this village became known as Jim Barclay Village.

Next, the Alabamas lived briefly at a site on Woods Creek in eastern Polk County called Rock Village. In 1854 the State of Texas purchased 1,110.7 acres of heavily-timbered land in Polk County as a reservation for the Alabamas. Approximately 500 tribal members settled on this land during the winter of 1854-1855.[26]

When the State of Texas attempted to move the Polk County Indians to the Lower Brazos Reserve in 1858, Indian Agent James Barclay rode across Texas on horseback in October of that year with a delegation of Alabamas and Coushattas to inspect the new reservation. From the Indians' viewpoint, the Lower Brazos Reserve was a barren, dreary land compared to the forested hills of their Polk County reservation. The Indian leaders told Agent Barclay that they did not want to move from East Texas.[27]

In December of 1858 Texas Governor H.R. Runnels received news of the massacre of the Anadarko and Caddo Indians from the Lower Brazos Reserve. The governor's reaction to this event, expressed in his letter to James Barclay, was to abandon his plan to move the Alabamas and Coushattas to the Lower Brazos Reserve:

> ". . . charity and humanity forbid it under present circumstances; my own conscience revolts at the idea of practicing a deception upon the Indians, or carrying them where they might at any time be indiscriminately slaughtered, for no other cause than that the Creator has made them Indians . . . ."[28]

Thus official reaction to the murder of peaceful Anadarko and Caddo Indians in 1858 was a significant factor in blocking the most serious attempt by the State of Texas to move the Alabamas from their Polk County reservation. The trail west for the Alabamas ended in the Big Thicket of East Texas.

COUSHATTA PAWNS OF THE TEXAS COLONISTS

The morning sun revealed two opposing armies in battle formation nine miles southeast of San Antonio on March 29, 1813. Spain's red and gold banner waved above fifteen hundred regulars and one thousand militiamen arrayed on a wooded slope.

A half mile in front of the Spaniards, thirteen hundred Gutiérrez-Magee filibusterers, commanded by Samuel Kemper, waited the signal to charge. Twenty-five Coushatta Indians crouched in front of this army's right flank.

Units of Kemper's army passed the word that a low tapping on a drum would signal the attack. But these instructions confused the Coushattas. Suddenly, the Coushattas shocked both armies with a wild charge up the hill toward the Spanish line. All other units held fast, waiting for the signal drum. At the drum tap, the whole line moved forward with such cool precision that the frightened Spaniards broke ranks and fled toward San Antonio. The Battle of Rosalis (or Salado) ended in a victory for Kemper's republican army.[29]

In their lonely charge against the Spanish in 1813, the Coushattas proved their loyalty to the early colonists in Texas. Beginning with the Battle of Rosalis the Coushatta tribe wrote an unbroken record of faithful service to Texas. Ironically, they were repaid with nothing: broken promises were the only response to their requests for small tracts of land to be used as permanent Texas homes.

The Coushatta Indian Tribe was a member of the Upper Creek (or Muskogee) Confederacy and has always been closely associated with the Alabama Tribe. Many Coushattas who lived near the Alabamas near Fort Toulouse accompanied the latter on their migration in 1763 from their homes on the Alabama River to Louisiana. Of several villages the Coushattas established in various sections of Louisiana, the largest was located near the mouth of Quicksand Creek on the east bank of the Sabine River about eighty miles south of Natchitoches, Louisiana.[30]

In the 1780s the Coushattas began drifting across the border into Spanish Texas.[31] There they were welcomed by the Spanish officials, who expected them to strengthen the bulwark of friendly tribes on Texas' eastern border.[32]

During the early nineteenth century, Coushattas blazed a vital trail from the Sabine River west of LaBahia. This trail, the Coushatta Trace, was a wilderness thoroughfare for Indians, smugglers, and adventurers traveling between Mexico and Louisiana.

To control this traffic through the heart of Texas, the Spanish posted Coushattas at strategic points on the Trinity River to serve as sentinels and scouts. Their assignment: inform the Spanish in Nacogdoches of any movement along the Coushatta Trace or on the Trinity River.[33]

In 1830 the Coushattas reached the zenith of their existence in independent villages. About 600 lived in or near three Coushatta communities. They farmed and hunted, and they traded with white settlers.

The Upper Coushatta Village (Battise Village) was located in present San Jacinto County where the Coushatta Trace crossed the Trinity River. This village was on the opposite side of the Trinity River from the Polk County town of Onalaska and is now under the waters of Lake Livingston.[34]

Long King's Village, the Middle Coushatta Village, was located at the confluence of Temple Creek and Long King Creek, approximately two miles north of the present site of Lake Livingston Dam on the Trinity River. This village could be called the headquarters of the Coushatta tribe: here lived Long King, the principal chief above all other Coushatta chiefs. Trails radiated from this village into the surrounding region like spokes from the hub of a wheel, further indicating the importance of this village in the Big Thicket during the 1830s.[35]

In the Lower Coushatta Village lived Colita, one of the best-known Indian leaders in East Texas. Colita succeeded Long King as principal chief of the Coushattas. His village was located on the Logan League in a great bend of the Trinity River — the "Shirt-tail Bend," as the steamboat sailors named it — in present San Jacinto County.[36]

Three Polk County creeks are named for Coushatta chiefs: Long King, Tempe, and Long Tom. In addition to these three chiefs and Colita, other chiefs of the Texas Coushattas were Pia Mingo, Payacho, Usacho, Canasa Gimingu, Ben Ash, Chickasaw Abbey, and Mingo.[37]

At General Sam Houston's request, the Coushattas remained neutral in Texas' War for Independence. But they fed and cared for white settlers who surged through the Coushatta villages in the "Runaway Scrape" of 1836, when Texas families fled before Santa Anna's advancing Mexican army prior to the Battle of San Jacinto.[38]

Mexican agents attempted to foment counter-revolution in several sections of the Republic of Texas during the early years of this new nation. Kickapoos and members of other Indian tribes in East Texas apparently were influenced by these Mexican agents, but Coushatta Chief Colita managed to maintain peaceful relations with white settlers.

The Coushattas, however, did not entirely escape the turbulence of the 1836-1839 period. In 1839 a Comanche raiding party approached Long King's Village from the north. Coushattas met the Comanches in the valley of Long King Creek and, in a fiercely fought battle, defeated the invading Comanches, who were forced to retreat.[39]

For nearly a century after 1763 the Coushattas were compelled to move from one place to another in search of permanent homes. Whenever white men wanted the land on which the Coushattas happened to be living, the Coushattas moved.

The year 1840 found the Coushattas on the move again. White settlers were claiming their village sites, and village life started to disintegrate.

Prospects brightened briefly when the Republic of Texas Congress in 1840 granted two leagues of land — one league included the Battise Village and the other included Colita's Village — to the Coushattas for permanent reservations. The land was surveyed and the field notes were filed, but the grants never became effective: white settlers had already claimed the land.[40]

By 1845, the year the Republic of Texas became the twenty-eighth state of the United States, the former inhabitants of Long King's Village and Battise Village were forced to wander around Polk County forests or join the Coushattas remaining at Colita's village. Colonel Hamilton Washington had purchased Colita's village site but permitted the Indians to remain on the land.

Two events in the 1850s lengthened the dark shadows over Coushatta prospects. The first disaster was the death in 1852 of Chief Colita, who had given the Coushattas such effective leadership that the *Galveston News* editorially lamented his passing. Thus the tribe was left leaderless at a crucial moment in its history.[41]

The second setback was the Coushattas' failure to obtain land for a reservation. In 1855 the Texas legislature granted the Coushattas 640 acres of land for a permanent home. Because suitable open land was no longer available in Polk County, however, this grant remained only a scrap of paper.[42]

Fortunately for the Coushattas, their kinsmen, the Alabamas, had received a grant of Polk County land in 1854. With the permission of the Alabamas, most of the Coushattas settled on this reservation in 1859. A few remained on the Hamilton Washington plantation in San Jacinto County until 1906, when they joined the others in Polk County.[43]

After years of struggle along a heartbreaking trail that wound from Alabama to East Texas, the Coushattas found a permanent home in the hills of Polk County. Here they no longer would need to dread the surveying crews, coming to stake their village sites as homes for white settlers. Firmly established at last, they no longer would be pushed around like pawns on an East Texas chessboard.

PAKANA MUSKOGEES WERE NOT KICKAPOOS

Historical records document the presence of a third tribe, the Pakana Muskogees, among Polk County's Indian population. This tribe was one of numerous branches of the powerful Creek or Muskogee tribe located primarily in the present state of Alabama.[44]

The Pakana Muskogees lived near the Alabamas and Coushattas in the vicinity of Fort Toulouse (a few miles north of Montgomery, Alabama), and moved to Louisiana shortly after 1763. Dr. John Sibley, Indian agent for the United States, reported in 1805 that approximately 150 Pakana Muskogees were living on Calcasieu Bayou, about forty miles southwest of Natchitoches, Louisiana.[45]

An early chief of the Pakana Muskogees, John Blount, received a silver metal for his services as a guide for General Andrew Jackson during the Seminole War in Florida. After the death of John Blount while enroute to Texas in 1834, this medal was passed to subsequent chiefs of the tribe: David Ellett, Bill Blount, John Blount (grandson of the earlier chief with the same name), and Alex Davis.[46]

In 1834 the Pakana Muskogees moved to a site on Penwau Slough about 2½ miles east of this stream's junction with the Trinity River in present Polk County. This location was on a high hill, generally believed to be the peninsula that extends into Lake Livingston and is known as Indian Hill.[47]

John Burgess, a Frenchman who purchased 640 acres of land along Kickapoo Creek, married a member of the Pakana Muskogee tribe, and later invited the other tribal members to move to the Burgess Survey. This property was inherited by Burgess' wife and subsequently by other member of the tribe, becoming the permanent home of the Pakana Muskogees in Polk County. Perhaps because of their location near Kickapoo Creek, these Indians occasionally have been referred to as Kickapoo Indians. They were not members of the Kickapoo Indian tribe: the Kickapoos lived in a village in northeastern Anderson County, Texas.[48]

In 1859 Texas Governor Runnels appointed James Barclay to serve as agent for the Muskogees, as well as for the Alabamas and Coushattas. Responsibility for the Muskogees was included also in the duties of agents appointed for the Polk County Indians in 1861-1865, 1867, 1868, and 1872.[49]

On November 12, 1866, the Texas legislature passed an act granting the Polk County Muskogees 320 acres of land. Unfortunately for the Muskogees, this land was never purchased, and they continued to live on the John Burgess Survey.[50]

The population of this Pakana Muskogee community declined slowly almost from the date of the tribe's first appearance in Polk County: 50 were counted in 1859; 42 were reported in 1882. Illness and absorption by the Alabamas and Coushattas probably were the main reasons for the Muskogees' decreasing population.[51]

In 1899, persuaded by Creek Indians from Oklahoma, John Blount and a majority of the Polk County Muskogees went to the Creek Nation in Oklahoma to live. Only a few — less than 10 — Pakana Muskogees remained in their settlement on the John Burgess Survey.[52]

POLK COUNTY INDIANS IN CONFEDERATE SERVICE

During the Civil War the Polk County Indians played only a minor role in the conflict between north and south.[53] When the war began in 1861, Indian Agent R.R. Neyland trained the Alabamas, Coushattas, and Muskogees to serve

Village sites are indicated by numbers 1 through 11 on the opposite page. Villages numbered 1 through 8 existed prior to 1835; numbers 9 through 11 were established after 1835

1. Peachtree Village (Alabama)
2. Cane Island Village (Alabama)
3. Fenced-in Village (Alabama)
4. Battise Village (Coushatta)
5. Long King's Village (Coushatta)
6. Colita's Village (Coushatta)
7. Campground (probably used by both Alabamas and Coushattas)
8. Village of the Pakana Muskogees (Creeks) on the John Burgess League near the present city of Onalaska
9. Barclay Village (Alabama)
10. Rock Village (Alabama)
11. Alabama-Coushatta Reservation: consists of 1,110.7 acres granted by the state of Texas to the Alabama Tribe in 1854 and 3,071 acres purchased by the federal government in 1928 for the Alabama and Coushatta tribes.

The locations of towns and communities near the Alabama and Coushatta village sites are known by numbers 12 through 19 on the map (opposite page). These places are indicated to serve as geographical reference points. All except Fort Teran were established after 1835.

12. Fort Teran
13. Livingston
14. Moscow
15. Woodville
16. Smithville
17. Swarthout
18. Onalaska
19. Goodrich

Letters of the alphabet refer to Alabama and Coushatta trails or traces that existed prior to 1835.

A. Coushatta Trace—from a Coushatta village on the Sabine River to the Colorado River south of Columbus, Texas.

B. Long King's Trace—from Peachtree Village to a point near the western boundary of San Jacinto County, where this trail merged with the Coushatta Trace.

C. Alabama Trace—from the San Antonio Road east of Nacogdoches through Peacetree Village and the site of the present Alabama-Coushatta Reservation to Colita's Village on the Trinity River.

D. Liberty-Nacogdoches Road—originally used by the Spanish in trips between Nacogdoches and a military post near the mouth of the Trinity River; later used extensively by the Alabamas and Coushattas.

E. Kickapoo Trace—from the Battise Village on the Trinity River to the Kickapoo Indian Village near Palestine, Texas.

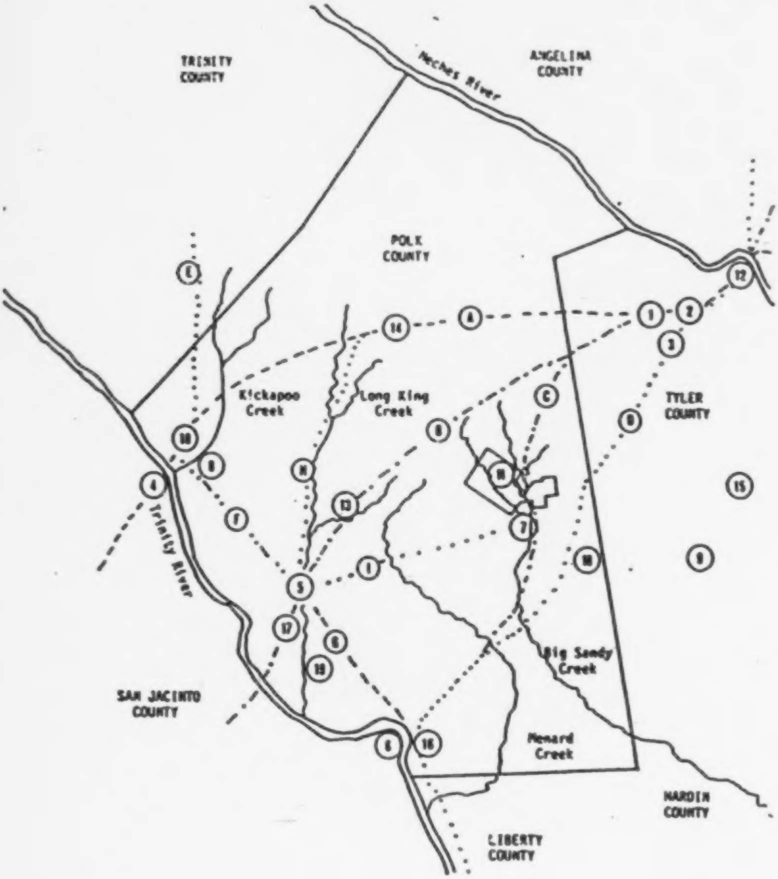
F. Battise Trace—from the Battise Village to Long King's Village.

G. Colita's Trace—from Colita's Village to Long King's Village.

H. Long Tom's Trace—from Long King's Village to the Long Tom Creek area.

I. Campground Trace—from Long King's Village to the campground south of the present Alabama-Coushatta Reservation.

VILLAGE SITES AND TRAILS OF THE ALABAMA AND COUSHATTA INDIAN TRIBES IN EAST TEXAS



with the Confederate cavalry. Preliminary arrangements were made for the Indians to join Colonel George W. Carter's regiment of Lancers, the 21st Texas Cavalry Regiment. Neyland left a few months later to enter military service, however, and the Polk County tribesmen never received a call to duty with Colonel Carter.[34]

The Alabamas and Coushattas then were asked to serve with Company F, 4th Texas Cavalry, organized in Polk County to campaign with Sibley's Brigade. This plan also failed to reach fruition: before arrangements could be completed for mustering in the Indians, the company left for San Antonio and New Mexico.[35]

Finally, on April 11, 1862, the Polk County Indians were sworn into Confederate service. John Scott, later to become chief of the Alabamas, and nineteen members of his tribe enlisted in Captain Charles W. Bullock's Company G, 24th Texas Cavalry. After training in Hempstead, Texas, the troops moved to Arkansas, and by the end of July, 1862, were serving under the command of General Thomas C. Hindman.[36]

Shortly after the arrival of the 24th Texas Cavalry, General Hindman decided to dismount several cavalry regiments, including the 24th Texas. The cavalrymen generally did not like the idea of getting off their horses and fighting on foot as infantrymen. Dave Lindsey, a member of Captain Bullock's Company G, said that when the troopers of Company G heard about being dismounted, "There was some large swearing and small swearing and any other kind you can think of." He also recalled that the soldiers went into El Dorado, Arkansas, and drank up all the whiskey in town.[37]

The Indians in the 24th Texas Cavalry had great difficulty adjusting to military discipline and bitterly resented the change of their status from cavalrymen to foot soldiers. By December, 1862, they had been permitted to return to their Polk County homes.[38]

Meanwhile, events occurred in Texas which set the stage for the most productive service the Polk County Indians were to render the Confederacy. On October 10, 1862, General John G. Magruder was transferred to command of the military district consisting of Texas, New Mexico, and Arizona. He immediately began to organize for the defense of Galveston Bay and the recapture of Galveston.[39]

On December 8, 1862, General Magruder ordered Commander W.W. Hunter, superintendent of Confederate naval defenses in Galveston Bay, to direct naval activities on the Trinity River above Liberty and to prepare for defense of that important river. Commander Hunter arranged for the Alabamas and Coushattas to assist him in his work, and these Indians served briefly in the Confederate navy.[40]

Some time later, following Commander Hunter's transfer to a Savannah River Station, General Magruder designated Colonel Hamilton Washington to serve as superintendent of government works in an area extending from Polk County northward to Anderson County. Captain W.H. Beazley organized the Polk County Indians into a cavalry company, unattached to any regiment, for service under Colonel Washington's supervision. In December, 1864, this company listed 132 men on its roster and was part of the 6th Brigade, 2nd Texas Infantry Division.[41]

The primary job of this new organization was to construct and operate flatbottom boats for transporting farm produce to the Confederate forces along the Gulf Coast. Captain Beazley's cavalrymen built most of their river craft or scows at Magnolia, a Trinity River port in Anderson County. Each boat, manned by an Indian crew, moved slowly down-river, stopping at plantation landings to pick up farm produce and other supplies requisitioned by Confederate authorities. At Liberty the boatmen delivered the boats and supplies to Confederate officials. To return upriver after each trip, the Indian cavalrymen-sailors rode horses driven to Liberty by their sons.[42]

Thus the Polk County Indians had the unique experience of serving in three branches of the Confederate military — infantry, cavalry, and navy. Civil War Governors Francis R. Lubbock and Pendleton Murrah commented favorably on the loyal service of the Indians, and the state legislature provided funds to pay the salary of an agent for these Indians during the period, 1861 - 1865.[43]

Through no fault of their own, the Polk County Indians of a century ago did not fight as a group in any battles of that great conflict. They missed the tide that might have carried their tribesmen to greater glory in the state's Civil War history, but they rode the river to perform an important service. In helping to move key military supplies, they contributed to the success of Confederate forces along the Texas Gulf Coast.

THE DARK DAYS: 1866-1879

The thirty-year period preceding the establishment of the Republic of Texas was the high point in the early life of the Polk County Indian tribes. This was the time when their friendship was sought first by the Spanish, then by the Mexicans, and finally by the American settlers moving into Texas.

The decline began soon after the Battle of San Jacinto in 1836 and reached the low point during the fourteen-year period following the Civil War. After 1865 the Indians had a home, but little else. Few could speak English effectively, and few could find jobs. The state government was busy with other matters, primarily the problems of the Reconstruction period.

This also was the time when a great tide of settlers was sweeping west. The period was marked by bitter fighting between the settlers and such warlike tribes as the Apache, Comanche, and Sioux. One result was a widespread belief among white settlers that most Indians were bad, and it was difficult to arouse public sympathy for the Polk County Indians.

In 1866 Texas Governor James W. Throckmorton proposed that the United States government assume guardianship of the Indians in Polk County. During the E.J. Davis administration, another effort was made to give these Indians federal protection, and in 1870 they were placed under military jurisdiction.[44]

Captain Samuel M. Whitside, commandant of the federal Military Post of Livingston (Texas) in 1870, made a report on the Polk County Indians in which he stated that an agent was needed for their protection and volunteered to serve as their agent until other arrangements could be made.[45]

The national government did not respond to Captain Whitside's suggestion, but the state government in 1872 appointed R.J. Rowe agent for the Indians of Polk County. His appointment was not renewed after 1872, and he became the last agent appointed for these Indians until 1928.[46]

In 1873 a bill was introduced in the U.S. House of Representatives to remove the Alabamas, Coushattas, and Muskogees to the Creek Nation in Indian Territory (Oklahoma). This bill required that the proposed removal be approved by the Polk County Indians and the Creeks. There is no record that the proposal was approved by either group, and the bill did not pass.[47]

In 1876 the Alabamas discovered that they did not have title to a 263-acre tract of land they had been occupying as a part of their reservation. This tract had been surveyed for the Alabamas, but the surveyor failed to file the necessary field notes with the Texas Land Office. This tract was included subsequently in a grant of land to the International & Great Northern Railroad, although the

Alabamas continued to occupy the area.[68]

The influx of white settlers into the Big Thicket during the 1870s, the clearing of forests, and the plowing of farmlands nearly destroyed the hunting and fishing practices of the Polk County Indians. They were forced either to rely primarily on farming their limited, worn-out reservation lands or to seek employment outside the reservation boundaries.

The Polk County Indians' fortunes continued to decline, and neither the national government nor the State of Texas seemed willing to help. In the fourth quarter of the nineteenth century the indifference of the United States toward these Indians was so complete that the Bureau of Indian Affairs did not bother even to make a count of the Indian residents in Polk County. For many years this bureau simply reported the same total number of Indians — 290 — in the county, and the tribes could have vanished without the bureau's knowledge.[69]

The state government, too, was indifferent to the plight of the Alabamas, Coushattas, and Muskogees. Texas made no move to help. Instead, these Indians reached the lowest point during this very bleak period of their history in 1879, when the state abolished the post of agent for the Polk County Indians.[70]

BEGINNING OF A NEW DAWN: 1880-1910

After 1880 the picture began to brighten for the Polk County Indians. This period was marked by three factors that had a vast influence on these tribes.

The first was construction of a Houston-Shreveport railroad which passed through Polk County. In 1875 the narrow-gauge Houston East & West Texas Railroad was organized. This railroad, which reached Polk County in 1881, opened the gate for development of the logging and lumber industry, and many of the Indians soon became expert in jobs related to this industry. As sawmills spread through the Big Thicket, so did opportunities for employment; for the first time in their history, many Indian families had steady cash incomes. Job opportunities in the timber industry became increasingly important in subsequent years.

The second, and even more important, influence on these Indians was the coming of Christianity and education. The first Presbyterian mission was established on the Indian reservation in Polk County in 1881, and since that time the church has played a major role in the lives of these Indians. Early missionaries served as teachers, ministers, doctors, nurses, and friends, and their total impact is beyond measure.

Dr. and Mrs. Caleb W. Chambers served as missionaries among the Polk County Indians for thirty-seven years, beginning in 1900. The dedication of this missionary couple to their tasks was complete. Dr. Chambers learned the rudiments of medicine and nursing so he could serve the physical, and well as the spiritual, needs of the tribes; Mrs. Chambers worked as both counselor and teacher, in the process devising new methods of teaching Indian children the English language.

The third prominent influence at this turning point was the work of J.C. Feagin of Livingston, Texas. A successful attorney in Livingston when he began to demonstrate his interest in the Indian tribes of the area, Judge Feagin maintained a constant barrage of letters, reports, demands, and appeals on their behalf to public officials on ever level of state and national government until his death in 1927, nearly half a century later. He never missed an opportunity to plead for more land and more attention for the long-neglected Indian tribes in Polk County.[71]

By 1910 Feagin had secured from the national government two responses relating to these Indians. First, he convinced Congressman Samuel Bronson

Cooper that assistance should be provided for the Polk County Indians. Cooper, who represented the Second Congressional District (including Polk County) during 1892-1905 and 1907-1909, introduced a bill on January 21, 1896, to grant 25,000 acres to the Alabama tribe. The Commissioner of Indian Affairs made an unfavorable report on this bill, and it did not pass. Cooper introduced the same bill on March 26, 1897, and again it failed because of an unfavorable report from the Commissioner of Indian Affairs.[22]

The second response attributed primarily to the efforts of Judge Feagin was an act dated April 4, 1910, in which the 61st Congress authorized and directed the Department of the Interior to investigate the status of the Alabama Indians in Texas. William Loker was appointed commissioner to determine the conditions and needs of the Alabamas. In his report, Commissioner Loker stated that the principal needs of these Indians were more land and a school with manual training. He added that if these Indians had about 5,000 acres, they would be able to compete successfully with their white neighbors in farming and stock raising, and could become self-sufficient in the future.[23]

Congress did nothing for the Polk County Indians in 1910, but Feagin had succeeded in bringing to the attention of the national government the conditions and needs of these Indians. His efforts constituted a successful opening phase of a campaign which would involve, in subsequent years, the work of many other interested persons to improve dramatically the lot of these Indians.

RESERVATION EXPANSION

In 1928 Clem Fain, Jr., of Livingston, Texas, was appointed agent for the Polk County Indians. He continued the campaign to focus public attention on the Alabamas and Coushattas. Early in 1928 he accompanied Chief Charles Martin Thompson and Speaker Chief McConico Battise to Washington to appeal for assistance.

The campaign was successful: the federal government purchased an additional 3,071 acres adjoining the original reservation. The deed for this additional land was issued to the Alabama and Coushatta Indian Tribes, and the name "Alabama-Coushatta" has been used since 1928 as the official title of this enlarged reservation of 4,181.7 acres.[24]

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[15] Juan Bautistia de Elquezabal to Commandant General Nemesio Salcedo, April 11, 1804 (Spanish Archives Translations, Archives, E.C. Barker Texas History Center, Austin, Texas. This collection is cited hereinafter as Spanish Archives Translations.); Mattie Austin Hatcher, *The Opening of Texas to Foreign Settlement, 1801-1821* (Austin, University of Texas Bulletin 2714, April 8, 1927), 43-45, 51; Julia K. Garrett, "Doctor John Sibley and the Louisiana-Texas Frontier, 1803-1814," *Southwestern Historical Quarterly*, XVII, 294; Julia K. Garrett, *Green Flag Over Texas* (New York & Dallas, 1939), 4-13.

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[17] Nemesio Salcedo to Commandant of Nacogdoches, July 15, 1805 (Spanish Archives Translations); Monsieur Rouquiere to Captain Don Joaquin de Ugarte, May 23, 1805 (Spanish Archives Translations); Nacogdoches diary of daily events for the month of June, 1805 (Spanish Archives Translations); Nemesio Salcedo memorandum, July 15, 1805 (Spanish Archives Translations); Nemesio Salcedo to Don Antonio Cordero, October 20, 1807 (Spanish Archives Translations); Nacogdoches diary of daily events for the month of September, 1807 (Spanish Archives Translations); Barr and Davenport statement of goods delivered as presents to Indian chiefs by order of Don Bernardo Despallier, May 4, 1806 (Spanish Archives Translations); Sebastian Rodriguez to Governor Colonel Don Antonio Cordero, February 13, 1806 (Spanish Archives Translations); I.J. Cox, "The Louisiana-Texas Frontier," *Southwestern Historical Quarterly*, XVII, 157-158; Julia K. Garrett, "Doctor John Sibley and the Louisiana-Texas Frontier, 1803-1814," 289; J. Villasand Haggard, "The Neutral Ground Between Louisiana and Texas, 1806-1821," *The Louisiana Historical Quarterly*, XXVIII, No. 4, 1049, 1088, 1099.

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[20] Nacogdoches Archives, II, 252; Shephen F. Austin jurisdictional map of Texas, 1822-1824 (Archives, E.C. Barker Texas History Center, Austin, Texas); Stephen F. Austin memorandum for a map of Texas, 1827 (Archives, E.C. Barker Texas History Center, Austin, Texas); John R. Swanton, *Early History of the Creek Indians and Their Neighbors* (Washington, D.C., U.S. Government Printing Office, 1922; Bureau of American Ethnology Bulletin 73), 199; John R. Swanton, *Myths and Tales of the Southeastern Indians* (Washington, D.C., 1929; Bureau of American Ethnology Bulletin 88), 118-121; Julia K. Garrett, "Doctor John Sibley and the Louisiana-Texas Frontier, 1803-1814," 297; Anna Muckleroy, "The Indian Policy of the Rspublic of Texas," *Southwestern Historical Quarterly*, XXV, 237.

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[23] *Forty-Second Annual Report of the Bureau of American Ethnology, 1924-1925*, 170.

[24] Field notes for the land granted to the Alabamas and Coushattas by the Republic of Texas, January 14, 1840; H.P.N. Gammel (ed.), *The Laws of Texas* (Austin, 1898), II, 197.

[25] Joseph L. Ellis, Agent of Alabama and Coushatta Indians, to Thos. C. Western, Superintendent of Indian Affairs, December 8, 1844 (MS., Indian Papers, Archives, Texas State Library, Austin, Texas).

[26] Samuel Rowe to Alabama Tribe of Indians (MS., Deed Records of Polk County, County Clerk's Office, Livingston), E, 432-433; W.R. Moore to Alabama Tribe of Indians (M.S., Deed Records of Polk County, County Clerk's Office, Livingston), E, 341-342; M.A. Hardin to Alabama Tribe of Indians (MS., Deed Records of Polk County, County Clerk's Office, Livingston), D, 311-313; H.P.N. Gammel (ed.), *The Laws of Texas*, IV, 69.

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[30] H.P.N. Gammel, *The Laws of Texas*, V, 168-169.

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[32] Ralph Henry Marsh, "The History of Polk County, Texas, Indians," 43.

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[69] John R. Swanton, *The Indians of the Southeastern United States*, 96.

[70] *Journal of the House of Representatives* (State of Texas), 16th Legislature, 1st Session, February 11, 1879, Vol. 1, Chapter 2, Page 148; *Journal of the House of Representatives* (State of Texas), 17th Legislature, 1st Session, March 4, 1881, Report of the Committee on Claims and Accounts.

[71] J.C. Feagin's substantial files of correspondence relating to the Polk County Indians are in possession of Mrs. Z.L. Foreman, Livingston, Texas. This collection is cited hereafter as the Feagin Papers.

[72] S.B. Cooper to J.C. Feagin, May 21, 1894 (Feagin Papers); U.S. Congress, House, *A Bill Granting to the Alabama Tribe of Indians in the State of Texas 25,000 acres of land*, H.R. 4453, January 21, 1896, 54th Congress, 1st Session; S.B. Cooper to J.C. Feagin, January 22, 1896 (Feagin Papers); H. Chilton to J.C. Feagin, February 15, 1896 (Feagin Papers); S.B. Cooper to J.C. Feagin, February 26, 1896 (Feagin Papers); J.C. Feagin to H. Chilton, March 3, 1896 (Feagin Papers); J.C. Feagin to H. Chilton, March 9, 1896 (Feagin Papers); Commissioner D.M. Browning, Office of Indian Affairs, to Secretary of the Interior, April 3, 1896 (MS., Office of Indian Affairs, Land 11264-1896, National Archives, Library of Congress, Washington, D.C.); H. Chilton to J.C. Feagin, May 8, 1896 (Feagin Papers); S.B. Cooper to J.C. Feagin, May 19, 1896 (Feagin Papers); U.S. Congress, House, *A Bill Granting to the Alabama Tribe of Indians in the State of Texas 25,000 acres*

of land, H.R. 2310, March 26, 1897, 55th Congress, 1st Session; A.C. Tanner, Acting Commissioner, Office of Indian Affairs, to S.B. Cooper, February 8, 1898 (MS., Office of Indian Affairs, Land 6327-1898, National Archives, Library of Congress, Washington, D.C.).

[13] U.S. Congress, House, *Report of William Loker and Letters to the Indian Department Relative to the Alabama Indians of Texas*, 62nd Congress, 2nd Session, Document No. 866, July 6, 1912.

[14] V.A. Collins, *et al.*, to United States of America, in trust for the Alabama and Coushatta Indians of Texas, September 20, 1928 (MS., Deed Records of Polk County, County Clerk's Office, Livingston, Texas), Vol. 88, 209.

ALABAMA-COUSHATTA INDIAN RESERVATION
Route 3 • Box 640 • Livingston, Texas 77351 • (713) 563-4666

Head Start Program

September 16, 1985

TO: MR. TONY BYARS, SUPERINTENDENT

FROM: GLORIA FRANKLIN, DIRECTOR/COORDINATOR FOR HEAD START GF.

SUBJECT: HEAD START INFORMATION FOR THE PLAN FOR RESTORATION HEARING

The following information has been gathered through the Community Needs Assessment and Program Information Report which are both updated annually.

ENROLLMENT:

Throughout the 1984-85 school year, 50 students were served in the Head Start Program. Most of these children received hearing, vision, dental, speech, growth and developmental screenings throughout the year. There were twelve (12) children professionally diagnosed as handicapped. This was 24% of the total enrollment. These children were categorized as visually impaired, speech impaired, physically handicapped and mentally retarded.

Ninety percent (90%) of the enrollment meet the eligibility requirements of near or below poverty level. The other 10% are comprised of Indian families who are fortunate enough to have both parents working and earning just above the guideline levels.

DENTAL NEEDS:

The children are screened annually for dental problems. Results for 1984-85 school year are as follows:

21% of the children needed extensive dental work - (one of these had 10 teeth that needed extensive attention)
44% of the children needed less treatment
34% of the children needed cleaning and fluoride treatments

COMMUNITY NEEDS ASSESSMENT:

The Community Needs Assessment, conducted door-to-door, showed that 12% of the homes on the Reservation are inhabited by 2 or more families.

It was a general concensus of the population that transportation services were needed to enable families to get better medical care on a regular basis. Most families do not earn enough income to provide a family car and provide the necessary maintenance for it. Senior citizens are usually without transportation as a whole and must rely on friends and family members to provide the necessary transportation.

John Scott
Chief of the Alabama-Coushattas, 1871-1913

Charles Martin Thompson
Chief of the Alabama-Coushattas, 1928-1935

Bronson Cooper Sylestine
Chief of the Alabama-Coushattas, 1936-1969

Robert Fulton Battise
Inaugurated Chief of the Alabama-Coushattas
January 1, 1970

2. Diabetes

A study was made in 1983 to establish a diabetic registry among the Alabama-Coushatta Tribe. To gather the information necessary for the registry, a survey was conducted to establish the number of Tribal members affected, to aid in the developing of an educational program and to improve utilization of current existing services. The survey reported a major health problem on the Alabama-Coushatta Indian Reservation as follows:

Condition	% of people interviewed with reported condition	number of people interviewed
Diabetes	44%	66
High Blood Pressure	40%	43
Both Diabetes & High Blood Pressure	30%	43
Arthritis	47%	43
Eye Problems	70%	43

The survey showed that persons with diabetes have complicated conditions in descending order of frequency as follows:

Condition	Number	Percent
Trouble seeing	18	62.1
Use or need special equipment for mobility	8	27.6
Heart Trouble	2	6.9
Loss of tactile perception	1	3.4

(Not able to feel pain when touching something rough or sharp.)

The survey shows that diabetes mellitus is a public health problem on the Reservation. An analysis of information accumulated showed that there is a lack of understanding and self-management of diabetes mellitus on the Reservation.

In an effort to control diabetes, increasing awareness of lifestyle changes that will reduce development of diabetes or decrease its severity has been instituted. A registry is maintained to perform the following:

a) facilitate establishing priorities for diabetic regimen on diet, medication and care for the lower extremities of the body;
b) provide a surveillance mechanism on trends in diabetes prevalence, age of individual at diagnosis, accompanying disabilities and access to care; and
c) perform blood-sugar count test on monthly basis to establish baseline data for study of persons diagnosed as diabetic.

3. Nutrition Program

A study was conducted in 1983 to describe the typical menus and frequency of consumption in a 24 hour period and to collect information on dietary behavior to recommend a nutrition program for the Alabama-Coushatta Indian population residing on the Reservation. The conclusion is needed to give individual families knowledge of basic nutrition principles.

The prevalence of diabetes, heart condition, hypertension, arthritis, alcohol abuse and disabilities known to be related to diabetes, requires that Tribal families be educated and become familiar with dietary recommendation for diabetics. The concept of calories need and exchange list for diabetics must be explained to help individuals to understand the necessity for changing eating habits.

The dietary side has to be extended to meals prepared for social functions since most Tribal members are involved in the social activities.

The intervention strategy to implement dietary changes must take into account traditional Indian methods of preparing food by frying or boiling with little variation in preparation or change in the menu pattern.

Changes that would incorporate variety into daily consumed food has been explained and encouraged. The people have made a good effort to change their dietary pattern and this cooperation has served to begin the nutritional program needed.

To insure that one nutritional meal is served weekly to the elderly, the Deep East Texas Council of Governments' Nutritional Program provides a hot prepared meal on Wednesday. Arrangements have been made to increase the serving to two hot meals a week.

Elderly and low-income eligible families receive food commodities once a month from the Community Action Agency of Lufkin, Texas, to provide nutritional service.

4. Vision Impairment

A study has shown that about two out of three Tribal members have some form of vision impairment. This high number of visually impaired persons in the age group of 45 to 75 and over agrees with the 26.4% of Tribal members in the same age group that have diabetes. Compared to U.S. population in the same age group, the finding is Alabama-Coushatta 26.4% to national population 4.0%. From 44 years to under 1 year old, the diabetic rate is only 2.3%, and the Tribal members who are visually impaired in this age group are less likely to have this impairment as a result of diabetes.

To meet this need, the Optometry School, University of Houston, has been contacted and arrangement made for eye examination and eye glass fitting for Tribal members who are classified as elderly and those who meet a low-income status. This assistance has given Tribal members the ability to meet some eye service needed.

The major health problems that exist on the Reservation have been discussed to show the impact that they have on the Head Start Program and the entire community population. Most of the health care services provided to the children of the community are provided through the Head Start Program. This program has proven to be a vital part of the Reservation and will continue to be so.

B. Needs Assessment Results

A survey and analysis was made of individual community services and barriers to delivery of these services in 1983. The survey entitled "Study of Gaps and Barriers in Services To Native American Communities" under a grant issued to University Associates, Inc., by the Administration for Native American (ANA), Office of Human Development Services, and the Department of Health and Human Services.

The study was undertaken to identify service gaps and barriers and strategies for removing these gaps and barriers in 73 selected Indian and Native American communities throughout the Nation. In addition to identifying gaps and barriers in service areas, the study's other purpose was to help strengthen and expand each community service.

The finding of the study was summarized from service delivery across 26 service areas further classified into 1,591 services. Of the 1,591 services, 40% is available, 52% is not available and 8% is not applicable to the Alabama-Coushatta community.

Service areas that have 76% to 100% unavailable services are child and family services - 76%; emergency medical services - 78%; fire service - 81%; family planning - 93%; waste and water management - 93%; alcohol, drug and dangerous substance abuse - 98%; and mental health - 100%.

Other areas that have a 51% to 75% unavailable services are communications - 51%; civil procedures - 53%; employment and income maintenance - 55%; political participation - 56%; recreation - 60%; nutrition - 63%; and transportation - 68%.

Service areas within the 26% to 50% unavailable services are maternal, child and adolescent health - 32%; energy - 35%; aging - 37%; and disease prevention, detection, diagnosis, treatment and rehabilitation - 50%.

The study indicated that over half of the services in service areas that have an impact on the Head Start Program are unavailable. These services are in service areas such as employment and income maintenance, education, recreation, child and family services, civil procedures, emergency medical services, environmental and occupational health and safety to include waste and water management, mental health, alcohol and drug abuse, nutrition, family planning, transportation, communication and fire services.

The findings of the study support a position that a Head Start Program is needed where employment and income maintenance, education, recreation, child and family services and health services within respected service areas are lacking at over a 50% level.

C. Supporting Documentation

No supporting documentation is attached as this Head Start program is fully established and has been in operation in the community for twenty years, an event that is being observed in the immediate future. It is believed that no additional documentation is necessary to establish this program's continuity as a functioning service program.

ALABAMA-COUSHATTA INDIAN TRIBAL COUNCIL
EMPLOYMENT & TRAINING PROGRAM

P. O. BOX 1141, LIVINGSTON, TEXAS 77351 TELEPHONE (409) 563-4389

Lynn Howard
Program Director
Jean Williams
Administrative Assistant

1/LH/cd
2000
September 11, 1985

Mr. Tony Byars
Reservation Superintendent
Route 3, Box 640
Livingston, TX 77351

SUBJ: Unemployment Rate on Reservation

REF: Letter of 9/09/85 on Tribal Restoration Hearing

Dear Tony:

After checking over the Tribal Roll of 01/13/83, we have calculated the number of residents to be 431, of this number, 131 are considered to be heads of households. Sixty-nine more are generally considered as in the workforce. This brings the total available workforce to 200 individuals.

As of August 4, 1985, the total amount of the eligible workforce that are currently employed is 133. The number of unemployed persons is 67. Therefore, the unemployment rate for August 11, 1985 is at 34%.

The reasons for the large unemployment rate at this time are as follows:

1. The closing of the Tribal Enterprise after the Labor Day Holiday, has displaced 24 residents, who have generally been employed for six months before displacement.

2. The Fall startup of the public schools sends many of the older children back into the educational system. Many of the families depend

on the older children to take care of the younger family members. Due to inadequate child care within a 36 mile radius, most families have to lose the second income that is greatly needed to keep them even with the poverty level income of $10,773.00 for a family of four. With the opening of a low cost day care center on the Reservation, planned for late October, the loss of available workforce should be lowered.

3. The lack of new housing construction has caused a continual slump in the timber and related industries, on which the Reservation members are still dependent for employment.

Conclusion: One of the major problems of the Alabama-Coushatta is that of high and fluctuating levels of unemployment. Such unemployment rates reach levels of 42% of the available labor force. This problem is compounded by the lack of quality skill development opportunities, permanent employment opportunities and economic development projects. The Tribe's Tribal Enterprise component does meet the needs of a very limited number of the community residents. However, this is often on a seasonal basis, and is unable to absorb even the majority of the labor force during the high unemployment cycle it faces each year.

The job market within the immediate vicinity of the Reservation consists of occupational groups in the timber industry, sole-proprietorships, park areas and building and road construction. Many of these jobs, in which Indians are employed, may be characterized as follows: minimal skill, entry level, multi-tasked and rotating, out-of-doors positions. These factors are complicated by lack of opprtunities for skill development, upward mobility, and attainment of economic self-sufficiency. This distance to job sites and lack of reliable transportation places additional burden upon the job seekers.

During the inclimate seasons, work slow-downs and stoppages occur, resulting in lay-offs which force many of the Tribal members back to the Reservation to join the ranks of the unemployed. This coincides with the periods of high unemployment, already being experienced on the Reservation and it is at this time that unemployment levels reach 42%. This annual reoccurance impacts more dramatically upon the youth, older persons, public assistance recipients and female heads of households, decreasing their ability to compete with persons who are less functionally or structurally disadvantaged.

Due to the Reservation being isolated from major industrial sites, private sector employers are encouraging the Tribes to endeavor to establish an industry on or near the Reservation. This would accomplish the following: (1) increase the availability of permanent year-round employment opportunities; (2) increase the opportunities for skill development and upward mobility; and (3) reduce the dependency upon seasonal tourist related employment.

I hope that this will be of help to you in preparing your report of Congress. If I can be of further assistance, please contact me.

Sincerely,

Lynn Howard
Program Director

ALABAMA-COUSHATTA INDIAN RESERVATION
Route 3 • Box 640 • Livingston, Texas 77351 • (409) 563-4391

Indian Housing Agency

September 12, 1985

TO: Tony Byars, Superintendent

FROM: Richard Bowen, Housing Manager

SUBJ: Housing Needs and Status

The Alabama-Coushatta Indian Housing Agency manages 127 homes built with funds from the U. S. Department of Housing and Urban Development Mutual-Help and Occupancy Home-Ownership Program. The Agency operates under the direction of the Alabama-Coushatta Tribal Council, the Texas Indian Commission and the Indian Program Division of HUD, Oklahoma City, Oklahoma.

Those on a fixed income to include the elderly represent 35% of the home with Head of Household or Spouse being over the age of 60. Based on present information 65% of the occupants have income at or below the Low to Moderate income level for this rural area. Payments are based on the combined adjusted family income with deductions. There is a minimum Administrative payment required for all occupants and a maximum amortized payment for each Project.

Serious problems have developed due to unemployment on the Reservation. During the Tourist Season - May through September - our unemployment ranges from 18% to a staggering 65% during the off season. Employment off the Reservation is just about limited to the Lumber Industry which moves with the economy. The lack of jobs has caused Participants to miss payments thus causing a large arrearage. This in turn has had an effect on Federal, State and Private Grants for the most part to pass by the Reservation.

A recent grant weatherizing the homes of low income families were completed in the Spring with 74 units receiving this energy saving service. There are still 53 that need this type of service.

Living in a rural, some what hilly, forest area has provided another real challenge, that being poorly designed, outdated septic systems. During the winter and the rainy season, septic systems and lines fill up. This in turn causes water to back up through commodes when flushed, leaving human waste to be cleaned up, also causing floor tile, wall board, mop board damage to say nothing of the health hazard.

We have received final approval on a Comprehensive Improvement Assistance Program (CIAP) from HUD Category I (Emergency) to replace or repair septic systems for those that qualify under the program. Qualification being no arrearage or must not be paid out. We have nine (9) paid-out Participants who automatically do not receive the service that really need the program. The fact is only twenty (20) do at this time qualify for the program; however, a Participant may pay the arrearage and receive the service. All units on the Reservation stand in need of this service.

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Route 3 • Box 640 • Livingston, Texas 77351 • (409) 563-4391
Indian Housing Agency

A waste treatment plant is needed to reduce the health hazard on the septic systems and the damages caused by them when they malfunction.

Because there are no maintenance funds available due to being a Homeownership program, the Elderly, Disabled and Unemployed suffer in several area: 40 families are not able to re-roof their homes, causing interior damage. The high cost of utilities have placed a burden upon the Homebuyers. To install storm doors and windows would be a benefit and savings for the Tribe. The weather works a hardship as most homes are off the paved road and at times the rains and water run off make traveling difficult.

Housing is sensitive to the needs of the Occupants and feel that through all the problems and needs mentioned above, the Alabama-Coushatta Indian continues to persevere, to stand up and be counted, determined to reach self-determination, extremely proud of his heritage and seeking to maintain Tribal Integrity.

ALABAMA-COUSHATTA INDIAN RESERVATION
Route 3 • Box 640 • Livingston, Texas 77351 • (409) 563-4391 800-392-4794 Texas Watts Only

GENERAL OVERVIEW OF TRIBAL ENTERPRISE

THERE WAS ONLY VERY MINOR IMPROVEMENT TO THE ALABAMA-COUSHATTA INDIAN RESERVATION ECONOMIC DEVELOPMENT CONDITIONS UNTIL THE LATE 1950's. THE YEAR 1957 MARKED THE BEGINNING OF A MORE SUCESSFUL APPROACH TO SOLVING THIS PROBLEM, WITH THE ARRIVAL OF A NEW, STATE FUNDED, RESERVATION SUPERINTENDENT.

STUDIES RELATIVE TO TOURISM, AGRICULTURE AND INDUSTRIALIZATION WERE CONDUCTED AS POTENTIALS FOR ECONOMIC GROWTH. BOTH TRIBAL MEMBERS AND STATE ADMINISTRATIVE PERSONNEL RULED OUT INDUSTRIALIZATION AND AGRICULTURE AT THAT TIME, AS A MEANS TO SUCESSFULLY FULFILL THE RESERVATION ECONOMIC NEEDS, IT WAS DETERMINED THAT TOURISM WOULD BETTER LEND ITSELF TO BOTH CURRENT AND LONG RANGE ECONOMIC DEVELOPMENT FOR THE TRIBE.

"TRIBAL ENTERPRISE", CREATED IN THE EARLY 1960's WAS IMPLEMENTED BY THE TRIBE FOR THE PURPOSE OF OVERSEEING THE TOURIST DEVELOPMENT PROGRAM.

IN 1963, THE INITIAL MAJOR EXPENDURE WAS MADE IN THE AMOUNT OF $40,000 BY THE STATE. THIS WAS MATCHED BY THE TRIBE (100% MATCH) AND USED TO CONSTRUCT A MUSEUM, SNACK BAR, AND ARTS/CRAFTS SHOP. APPROXIMATELY 20,000 TOURISTS VISITED THE RESERVATION THAT PARTICULAR YEAR.

IN 1967, "TRIBAL ENTERPRISE" CONSTRUCTED THE LIVING INDIAN VILLAGE AND THE "DANCE SQUARE". ALSO A TOUR TRAIN AND OTHER VEHICLES WERE ACQUIRED FOR HISTORICAL TOUR PURPOSES. THIS DEVELOPMENT WAS

(PAGE 2 CONT'D GENERAL OVERVIEW OF TRIBAL ENTERPRISE)

ACCOMPLISHED AT A COST OF $125,000 (SHORT TERM SBA LOAN).

SINCE THAT TIME, A GREAT MANY OTHER TOURIST FACILITIES HAVE BEEN CONSTRUCTED, WHICH INCLUDE THE "SUNDOWN THEATRE", RESTAURANT, CAMPSITE/LAKE PROJECT, POTTERY PLANT, AND OTHERS.

TOURISTS FROM ALL OVER THE NATION-AND FROM FOREIGN COUNTRIES HAVE VISITED THESE FACILITIES IN EVER INCREASING NUMBERS. HOWEVER, IN RECENT YEARS, THE RATE OF GROWTH HAS DIMINISHED DISAPPOINTINGLY. THIS HAS BEEN DUE TO SOME EXTENT BY INFLATION AND SUBSEQUENT INCREASED COST OF SALES BY PETROLEUM SHORTAGES AND TRAVEL RESTRICTIONS, UNEMPLOYMENT AND OTHER NATIONWIDE ECONOMIC PROBLEMS. THIS IS, THEREFORE, CAUSING " TRIBAL ENTERPRISE" AND THE TRIBE AS A WHOLE, TO TAKE A NEW LOOK AT ECONOMIC DEVELOPMENT ACTIVITIES. "TRIBAL ENTERPRISE" IS RESPONSIBLE FOR TRIBAL ECONOMIC DEVELOPMENT, UNDER THE GUIDANCE OF THE RESERVATION SUPERINTENDENT, AND THE BUSINESS MANAGER, AND WITH THE APPROVAL OF THE TRIBAL COUNCIL/MEMBERS OF THE TRIBE.

MAKING THE TRANSITION FROM A TOURIST AGENCY TO AN ECONOMIC DEVELOPMENT ENTITY OF THE RESERVATION, IS NO SMALL TASK. PLANS ARE BEING FORMULATED TO HAVE AN AMBITIOUS ECONOMIC DEVELOPMENT PROGRAM AS THE EXPERTISE AVAILABLE AND THE BUDGET ALLOWS. TRIBAL ENTERPRISES' GOALS ARE TO CREAT MEANINGFUL JOBS FOR TRIBAL MEMBERS THROUGH THE BUILDING OF FACILITIES (I.E. INDUSTRIAL PARK) TO MAKE IT ADVANTAGEOUS FOR INDUSTRY TO LOCATE ON THE RESERVATION. THIS WILL HELP NOT ONLY OUR EMPLOYMENT SITUATION BUT WILL PROVIDE AN UPGRADING OF TRAINING IN DIFFERENT SKILLS FOR TRIBAL MEMBERS.

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(CONT'D PAGE 3)

TRIBAL ENTERPRISE WAS PARTIALLY FORMED TO CONTRIBUTE TO PARTICULAR EXPENSES OF THE RESERVATION (I.E. PHONE, INSURANCE, UTILITIES, ETC.). SINCE THE INCEPTION OF TRIBAL ENTERPRISE THESE COST HAVE RISEN DRAMATICLY. THE FOLLOWING IS A LIST OF THESE EXPENSES AND THE COST TO TRIBAL ENTERPRISE FOR THE YEAR ENDING 1984.

SALARIES AND WAGES FOR TRIBAL MEMBERS THAT WORK IN THE VARIOUS ENTITY OF T.E.	$249,271.95
PAYROLL TAXES	19,234.79
INSURANCE FOR TRIBAL ENTERPRISE AND NON T.E. CONCERNS	28,515.25
PHONE EXPENSE	17,110.91
UTILITIES	84,515.28
ADVERTISING	25,744.70
INTEREST EXPENSES ON SBA LOAN	42,012.28
REPAIR AND MAINT. ON EQUIPMENT	80,581.00

THE ABOVE FIGURES SHOW THAT TRIBAL ENTERPRISE HAS A VERY FORMIDABLE CHALLENGE EACH YEAR, TO TRY TO MAKE A PROFIT. THIS IS THE MAIN REASON THAT THE ALABAMA-COUSHATTA INDIAN TRIBE IS MAKING THE TRANSITION FROM THE TOURIST BUSINESS, WHICH IS SEASONAL IN NATURE, AND NOW DIRECTING ITS EFFORTS INTO BUSINESS DEVELOPMENT THAT WILL PROVIDE YEAR ROUND EMPLOYMENT AND A MORE STABLE CASH FLOW.

TEXAS INDIAN COMMISSION

Appropriations by the State of Texas to the Alabama-Coushatta, Tigua Indians and Commission Administration since 1932.

Alabama-Coushatta

42nd Legislature		
1932	$ 10,800	
1933	10,800	
43rd Legislature		
1934	6,780	
1935	6,780	
44th Legislature		
1936	9,670	+ $2,890.00
1937	9,670	
45th Legislature		
1938	14,589	+ $4,919
1939	11,189	+ $1,519
46th Legislature		
1940	14,130	- $459.00
1941	13,230	+ $2,041.00
47th Legislature		
1942	25,260	+ $11,130
1943	25,260	+ $12,030.
48th Legislature		
1944	17,420	- $7,840.
1945	17,420	- $7,840.
49th Legislature		
1946	16,735	- $685.00
1947	16,735	
50th Legislature		
1948	27,195	+ $10,460.00
1949	27,195	
51st Legislature		
1950	43,628	+ $16,433.00
52nd Legislature		
1952	41,298	- $2,330.00
1953	41,298	
53rd Legislature		
1954	60,828	+ $19,530.00
1955	60,828	
54th Legislature		
1956	65,607	+ $4779.00
1957	67,107	+ $6,279.00
55th Legislature		
1958	71,034	+ $5,427.00
1959	71,034	+ $3,927.00
56th Legislature		
1960	70,058	- $976.00
1961	70,058	
57th Legislature		
1962	75,834	+ $5776.00
1963	75,834	

58th Legislature		$74,382 - $1,452.00
1964		71,982 - $1,452.00
1965		
59th Legislature		75,299
1966		72,825
1967		
60th Legislature		421,585
1968	Alabama-Coushatta	35,000
	Tigua	153,230
1969	Alabama-Coushatta	15,600
	Tigua	
61st Legislature		432,558
1970	Alabama-Coushatta	150,265
	Tigua	181,758
1971	Alabama-Coushatta	71,216
	Tigua	
62nd Legislature		472,757
1972	Alabama-Coushatta	237,151
	Tigua	18,500*
1973	Exec. Director	222,478
	Alabama-Coushatta	89,844
	Tigua	
63rd Legislature		19,500*
1974	Exec. Director (Administration)	254,333
	Alabama-Coushatta	179,574
	Tigua	20,000*
1975	Exec. Director (Administration)	253,805
	Alabama-Coushatta	137,555
	Tigua	
64th Legislature		22,880*
1976	Exec. Director (Administration)	212,232
	Alabama-Coushatta	263,745
	Tigua	24,400*
1977	Exec. Director (Administration)	197,401
	Alabama-Coushatta	224,199
	Tigua	
65th Legislature		40,941
1978	Commission Administration	110,113
	Alabama-Coushatta	238,660
	Tigua	42,145
1979	Commission Administration	36,400
	Alabama-Coushatta	243,976
	Tigua	
66th Legislature		84,747
1980	Commission Administration	106,946
	Alabama-Coushatta	259,005
	Tigua	79,638
1981	Commission Administration	111,234
	Alabama-Coushatta	269,316
	Tigua	
67th Legislature		91,161
1982	Commission Administration	134,409
	Alabama-Coushatta	290,963
	Tigua	96,623
1983	Commission Administration	135,269
	Alabama-Coushatta	295,888
	Tigua	

68th Legislature		
1984	Commission Administration	104,120
	Alabama-Coushatta	140,683
	Tigua	306,815
1985	Commission Administration	108,377
	Alabama-Coushatta	143,458
	Tigua	314,280
TOTALS	Administration since 1973	$ 752,952
	Alabama-Coushatta since 1932	$5,110,441
	Tigua since 1968	$3,623,052
	TOTAL	$9,486,445

Note:

Alabama-Coushatta	average of $96,423.42 per year average of $177.25 per person per year
Tigua	average of $201,280.67 per year average of $292.13 per person per year

* Reflects appropriation for Executive Director salary only. Alabama-Coushatta appropriations provided office and operating expenses.

ALABAMA-COUSHATTA INDIAN RESERVATION

ANALYSIS OF MINERAL REVENUE

SEPTEMBER 1, 1984 - AUGUST 31, 1985

MONTH	NATURAL GAS	OIL	OTHER	TOTAL
September, 1984	$ 135,934.99	$ -0-	$ -0-	$ 135,934.99
October	129,941.19	1,897.38	-0-	131,838.57
November	94,259.55	1,490.50	5.00	95,755.05
December	39,415.39	800.86	-0-	40,216.25
January, 1985	58,127.43	-0-	26,522.86	84,650.29
February	72,272.21	2,795.56	5.00	75,072.77
March	79,586.92	-0-	-0-	79,586.92
April	51,635.61	874.28	-0-	52,509.89
May	55,076.01	762.10	-0-	55,838.11
June	36,640.66	1,739.53	-0-	38,380.19
July	16,076.44	736.87	7.85	16,821.16
August	5,292.22	-0-	166.37	5,458.59
TOTAL	$ 774,258.62	$ 11,097.08	26,707.08	$ 812,062.78

ALABAMA-COUSHATTA INDIAN RESERVATION
MINERAL USE PLAN
SEPTEMBER 1, 1984 - AUGUST 31, 1985

	BUDGET ITEM	BUDGET AMOUNT	EXPENDED	BALANCE 8/31/85
I.	HEALTH			
	A. SALARY-COORDINATOR	$ 9,600	$ -0-	$ 9,600.00
	B. OPERATING EXPENSES	12,000	-0-	12,000.00
	C. TRANSPORTATION	12,000	-0-	12,000.00
	D. MEDICATION	12,000	3,682.61	8,317.39
	F. INPATIENT	12,000	-0-	12,000.00
	G. FUNERAL	12,000	-0-	12,000.00
	H. OUTPATIENT	12,000	446.00	11,554.00
	TOTAL I	$ 81,600	$ 4,128.61	$ 77,471.39
II.	EDUCATION			
	A. SCHOLARSHIP/TRAINING	$ 30,000	$ 4,249.79	$ 25,750.21
	B. SCHOOL TRANSPORTATION			
	1. Driver Salary	12,000	7,642.03	4,357.97
	2. Fuel & Maintenance	26,100	7,469.13	18,630.87
	C. LIBRARIAN	3,900	2,532.80	1,367.20
	TOTAL II	$ 72,000	$ 21,893.75	$ 50,106.25
III.	COMMUNITY SERVICES			
	A. OPERATING EXPENSES			
	1. Utilities	$ 6,000	$ 1,283.10	$ 4,716.90
	2. Office	3,600	381.03	3,218.97
	B. MAINTENANCE	14,400	6,650.45	7,749.55
	C. WATER/SEWAGE	18,000	-0-	18,000.00
	D. RECREATIONAL IMPROVEMENTS	30,000	28,578.80	1,421.20
	E. NEEDY & ELDERLY			
	1. Food	12,000	-0-	12,000.00
	2. Utilities	6,000	-0-	6,000.00
	F. HOUSING	72,000	2,200.00	69,800.00
	TOTAL III	$ 162,000	$ 39,093.38	$122,906.62
IV.	ECONOMIC DEVELOPMENT			
	A. SALARIES	$ 24,000	$ -0-	24,000.00
	B. OPERATING EXPENSES	12,000	8,519.05	3,480.95
	C. CAPITAL OUTLAY	12,000	11,246.56	753.44
	D. MARKETING	12,000	12,364.00	(364.00)
	E. SBA LOAN	72,000	102,079.41	(30,079.41)
	F. START UP EXPENSE, T.E.	60,000	64,424.37	(4,424.37)
	TOTAL IV	$ 192,000	$ 198,633.39	$ (6,633.39)
V.	ADMINISTRATION			
	A. SALARIES			
	1. Custodian, Tribal Roll	$ 12,000	$ 8,680.54	$ 3,319.46
	2. Secretary, Superint.	9,000	6,206.30	2,793.70
	3. Clerk, Accounting	13,500	8,801.64	4,698.36
	B. OPERATING EXPENSES	2,400	2,465.46	(65.46)
	C. TRAVEL, ADMIN./COUNCIL	12,000	12,095.28	(95.28)
	D. LEGAL	25,500	2,609.16	22,890.84
	E. AUDIT	12,000	900.00	11,100.00
	F. NARF	6,000.	6,000.00	-0-
	TOTAL V	$ 92,400	$ 47,758.38	$ 44,641.62
VI.	TRUSTS & INVESTMENTS	$ 600,000	$ 400,000.00	$200,000.00
	GRAND TOTAL	$1,200,000	$ 711,507.51	$488,492.49

PREPARED

STATEMENT OF ARNOLD BATTISE

HEARINGS ON H.R. 1344

Before the Senate Select Committee on Indian Affairs

June 25, 1986

Mr. Chairman and Members of the Committee:

My name is Arnold Battise. I am a fullblood member of the Alabama- Coushatta Tribe. The Tribal Council has asked that I serve as a spokesman for the Tribe, and it is an honor to appear before you to present our views in support of H.R. 1344. The Chairman of the Tribal Council, Mr. Morris Bullock, has outlined the early history of the Tribe and described the general condition of the Tribe and its Reservation today.

I would like to focus on what we view as the most pressing need of the Tribe, and the need for Congress to enact this legislation without delay. In one word, that need may be summed up as survival. The long-term security of our Tribe and our Reservation is threatened, due primarily to a number of recent developments in the State of Texas about which you have already heard much today. But I believe that these developments were inevitable, and that they are the direct and predictable result of the Alabama-Coushatta Termination Act, passed by Congress 31 years ago. That Act profoundly altered the legal status of our Tribe by terminating, for most purposes, the trust relationship between the

Tribe and the United States. The purpose of H.R. 1344 is to restore that relationship and thereby secure the future of our ancestral homeland, our tribal government and our way of life.

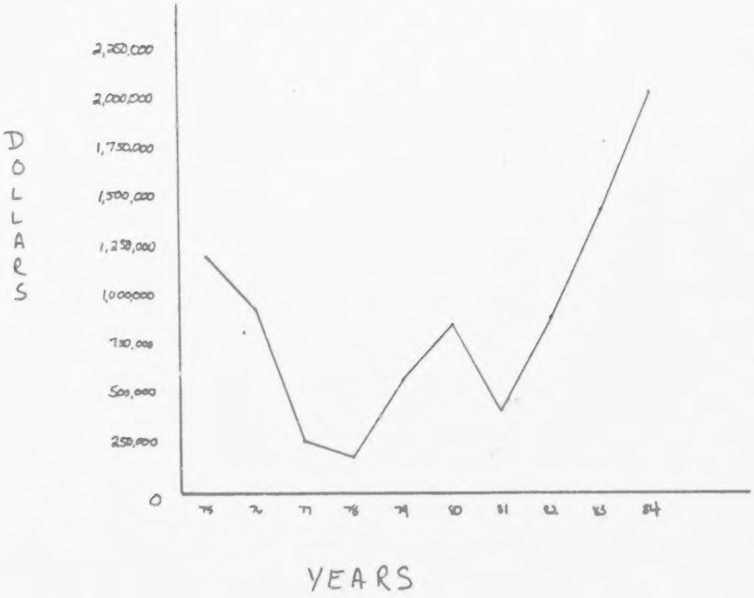
In 1928, the first formal relationship between the United States and the Tribe was established by Act of Congress. In that year, Congress appropriated $40,000 to purchase additional land for the Tribe and in 1929, 3,071 acres were purchased adjacent to the 1,100-acre tract that the State of Texas had set aside as a Reservation for the Tribe in 1854. The Secretary of the Interior held the newly-acquired lands in trust as an Indian reservation. During the period that the Tribe was under federal jurisdiction, from 1928 to 1954, the BIA administered tribal affairs out of the Kiowa Agency in Anadarko, Oklahoma (now the Anadarko Area Office). In 1938, the Tribe adopted a constitution pursuant to the Indian Reorganization Act. That constitution served the Tribe until 1971, when a new constitution and bylaws were adopted. However, notwithstandng that during the period from 1928 to 1954 we were a federal Tribe, there existed during that time an informal co-management, or co-trustee, relationship between the United States and the State of Texas.

Thus, although the United States maintained a trust relationship with the Tribe, the State at the same time provided the majority of the services to the Tribe. In actual practice, the State of Texas apparently served as the primary trustee for the Tribe; although primarily legal responsibility certainly remained with the United States. For example, the State provided all health care assistance and managed and supervised tribal forestry and timber resources. An agent, with support staff and administrative resources, was provided by the State. At one time the State established a health clinic with a resident nurse on the Reservation. A dietician was also resident at one time on the Reservation, as were a school teacher for the school on the Reservation, and a carpenter. Immediately before termination, in 1953, the State expended $41,000 for services to the Tribe and the United States spent only $18,000.

In the early 1950's, when Congress and the Eisenhower Administration began efforts toward termination of the trust relationship with Indian tribes generally, the Alabama-Coushatta Tribe was a likely target. The BIA did not have a single employee in the State of Texas and the preexisting relationship between the State and the Tribe would make federal withdrawal easy and nondisruptive. The Interior Department and the State agreed that the Federal Government would simply hand over to the State the federally-held tribal assets together with the federal trust responsibilities. In 1953, the Texas Legislature enacted a concurrent resolution agreeing to accept the federal responsibilities and agreeing to appoint an agency of the State to administer the trust.

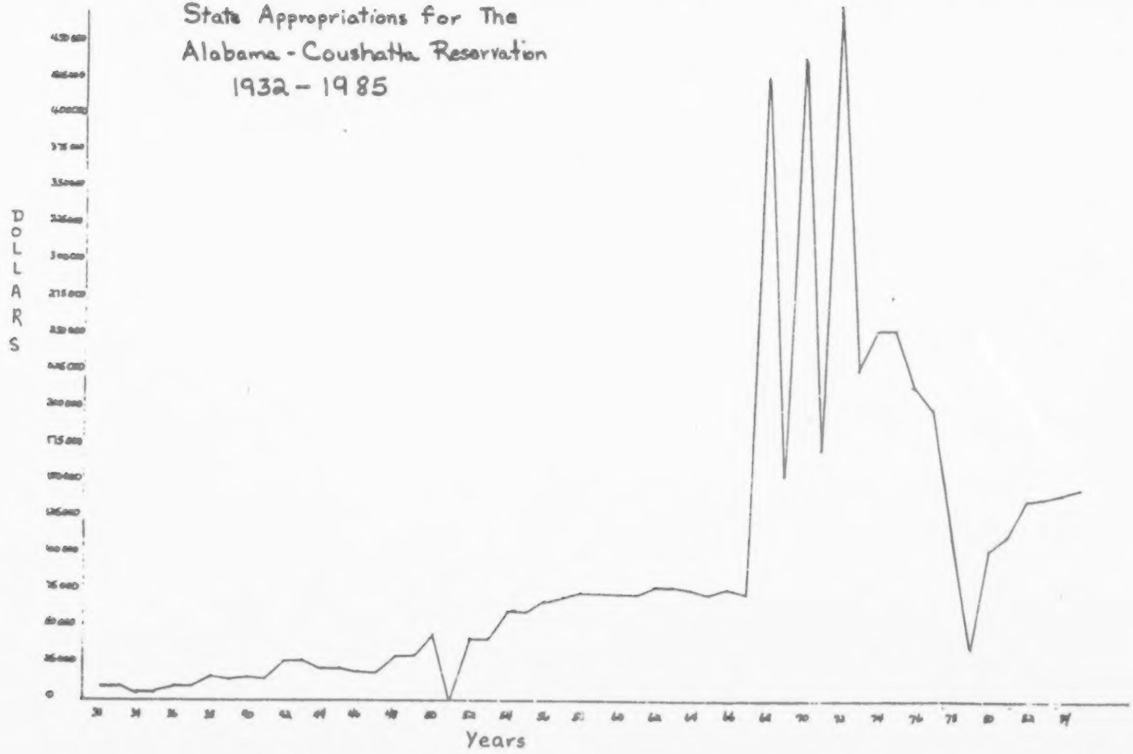
The congressional hearings on the Alabama-Coushatta Termination Act were among the first termination hearings held by Congress. No tribal members could afford to come back to testify,

Alabama - Coushatta Reservation
Total Non State Appropriated Funds
1975 - 1984



ALABAMA-COUSHATTA RESERVATION
TEN YEAR BREAKDOWN OF OTHER FUNDS

	FEDERAL	STATE	TRIBAL	TIMBER	OIL & GAS	OTHER	TOTAL
1984	318,736	35,150	948,620	15,000	723,000	50,700	2,091,2
1983	206,544	18,500	1,060,834	7,922	61,118	70,600	1,425,5
1982	605,168	-0-	30,920	923	70,772	94,200	801,9
1981	288,352	-0-	30,784	21,376	20,944	36,000	397,4
1980	568,392	-0-	24,139	19,380	203,328	75,000	890,2
1979	487,982	-0-	27,181	8.924	-0-	60,000	584,0
1978	186,519	-0-	25,279	6,174	-0-	-0-	221,9
1977	187,380	-0-	40,192	23,038	3,937	-0-	254,5
1976	939,460	-0-	22,600	14,961	7,874	-0-	984,8
1975	1,201,021	-0-	18,618	12,909	-0-	-0-	1,232,5


State Appropriations for The Alabama - Coushatta Reservation 1932 - 1985

and Congress relied heavily upon the express assurances of the State of Texas that it would assume full responsibility for the Tribe. In 1954, the Alabama-Coushatta Tribe was terminated from federal supervision.

Following the 1954 termination act, the State continued in basically the same role that it had with the Tribe before termination. In 1958, the State established a superintendency at the Reservation and, in 1965, established the Texas Commission on Indian Affairs. Beginning in the mid-60's, the State provided substantial economic development assistance and, as Morris described, has greatly assisted our Tribe in the development of tribal business enterprises.

In 1983, however, the State's Attorney General declared that the Alabama-Coushatta Tribe is, as a result of termination, no longer an Indian tribe, and that the Reservation is no longer an Indian reservation. Personally, I do not feel like I am part of merely an "unincorporated association of persons," but that is what General Mattox ruled our Tribe is now. The Attorney General's opinion, designated JM-17, places the very survival of the Tribe and its homeland in jeopardy. Largely as a consequence of JM-17, the State Comptroller of Public Accounts in 1984 determined that tribal royalties from oil and gas production on the Reservation are subject to state severance taxes. This is the first time in our history that the Reservation has been taxed by the State. In 1985, the Tribe received notice from the Polk County Appraisal District that certain tribal property had been appraised and placed on the county tax rolls. It is generally understood that if that tax assessment is upheld, the remainder of the Reservation will be placed on the tax rolls.

Also in 1985, the State Legislature failed to appropriate any funds to fulfill its trust responsibilities to the Tribe, electing instead to use tribal oil and gas funds that the State has in its treasury in its capacity as trustee for the Tribe. The State Legislature directed the use of tribal mineral funds to pay state employees' salaries without first obtaining tribal consent. Thereafter, for 90 days the Tribe did agree to the use of its monies to pay state employees, but, effective January 1, 1986 the Tribe revoked its consent except for a single state employee. In May, the State Comptroller refused to allow the Tribe to withdraw any of its mineral funds from the state treasury, and took the position that the State Legislature had appropriated all of the Tribe's mineral funds for the State's use. I have attached copies of the Attorney General's Opinion, the tax rulings, the recent State Appropriations rider, and the State Comptroller's letter of May 2, 1986 as an appendix to my testimony.

Earlier, I stated that I thought these current developments in the State trust relationship were predictable. The reason is that state governments, even one with so long a history of involvement in Indian affairs as Texas, are simply not comfortable standing in a role that historically has been filled almost exclusively by the United States. Thirty years ago, when times were simpler and the State of Texas was much smaller, that may have been possible. State leaders then perhaps had a better sense of history and tradition and perhaps sought to protect those values more. But today, it is impossible for our small Tribe to go through the process of educating and re-educating hundreds of Texas state legislators every two years about the history of our Tribe and the unique relationship we have enjoyed with the State of Texas for more than 150 years. The Legislature's refusal to appropriate a meagre $148,000 per year to pay the salaries of eight state administrative employees speaks clearly to that fact.

The lands of our small 4,600-acre reservation are not protected by the federal laws that protect the lands of other tribes in this country. The security of our homeland and our government is presently subject to the unpredictable whims of Texas state legislators and elected executive officials. Even if the Tribe should prevail in its challenges to each of these state actions and rulings, our long-term security would be no greater than it is today. Under the present State trust system, there is simply nothing to prevent, at some time in the future, another Attorney General or State Comptroller from finding another reason why the State cannot legally serve as trustee for the Tribe, or why the Tribe's lands and resources should be subject to state tax.

The point that I would like to leave with you, above all else, is this: federal protection is essential to the survival of the Alabama-Coushatta Tribe. As matters now stand, the Reservation does not have a clear legal basis for its existence as an Indian Reservation and our political status as a sovereign government has been challenged. The State of Texas has renounced the trust obligations it assured Congress it would assume in 1954. Our Tribe cannot survive without our land. This restoration act will provide permanent protection for our land, as well as protection for the preservation of our government and the cultural identity of the Alabama-Coushatta Tribe.

I was born and raised on the Reservation, and in my years on the Reservation, the "Indian agent" for the State always spoke for the Tribe. Until recent times, that "agent" has always been a white man. More recently, however, we have had Indians as tribal superintendents and our Tribe now speaks for itself. We would like to continue this trend toward self-determination with the passage of this bill.

Thank you.

Respectfully submitted,

Arnold Battise

The Attorney General of Texas

March 22, 1983

JIM MATTOX
Attorney General

Supreme Court Building
P. O. Box 12548
Austin, TX. 78711-2548
512/475-2501
Telex 910/874-1367
Telecopier 512/475-0266

1607 Main St., Suite 1400
Dallas, TX. 75201-4709
214/742-8944

4824 Alberta Ave., Suite 160
El Paso, TX. 79905-2793
915/533-3484

1220 Dallas Ave., Suite 202
Houston, TX. 77002-6986
713/650-0666

806 Broadway, Suite 312
Lubbock, TX. 79401-3479
806/747-5238

4309 N. Tenth, Suite B
McAllen, TX. 78501-1685
512/682-4547

200 Main Plaza, Suite 400
San Antonio, TX. 78205-2797
512/225-4191

An Equal Opportunity/
Affirmative Action Employer

Mr. Charles D. Travis
Executive Director
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Opinion No. JM-17

Re: Enforcement of the Texas Parks and Wildlife Code within the confines of the Alabama-Coushatta Indian Reservation

Dear Mr. Travis:

A question has arisen about the authority of the Texas Parks and Wildlife Department to enforce the Texas Parks and Wildlife Code within the confines of the Alabama-Coushatta Indian Reservation. You have requested our opinion.

The "reservation" consists principally of two tracts located in Polk County. One of them, consisting of 1,280 acres, was purchased in several parcels for the Alabama Indians by the state government in 1854 and 1855. The purchase was authorized to honor a claim held by the Alabama tribe against the Republic of Texas. Acts 1854, 5th Leg., ch. 44, at 68; Acts 1840, 4th Congress of the Republic, at 197. See Attorney General Opinion WW-43 (1957); 1 Texas Indian Papers 102, 117; D. Jacobson, H. Martin, R. Marsh, Alabama-Coushatta Indians 288-89 (1974). The other tract, an adjacent 3,071 acres, was conveyed in 1955 by the federal government to the state "in trust for the benefit of the Indians of the Alabama and Coushatta Tribes of Texas." 25 U.S.C. §721. The transfer was accepted by Texas pursuant to earlier legislative authorization. Senate Concurrent Resolution No. 31, Acts 1953, 53rd Leg., at 1078. See Attorney General Opinions WW-468 (1958); WW-43 (1957).

The Texas Parks and Wildlife Code was enacted in 1975. It establishes the Parks and Wildlife Department as an agency of the state, and charges it with administering the laws set out in the code and with enforcing all state laws relating to the protection and preservation of wild game, wild birds, fish and other marine life. Parks and Wild. Code §§11.011, 12.001, 12.101. Particularly, chapter 61 of title 5 of the code, which enacts the Uniform Wildlife Regulatory Act, provides that "[t]itle 7 of this code prescribes the counties, places, and wildlife resources to which this chapter applies." Id. §61.003. In addition, section 287.001 of title 7 reads: "Except as provided in this chapter, the Uniform Wildlife Regulatory Act . . . applies to the wildlife resources in Polk

County." (Emphasis added). Thus, the Texas Parks and Wildlife Code is expressly applicable to wildlife resources on the Alabama-Coushatta Indian Reservation located in Polk County unless the code itself excepts the reservation from its operation, or unless some other law operates to do so. See In re Wilson, 634 P. 2d 363 (Cal. 1981).

Subchapter E, chapter 61 of the code makes special exceptions from portions of the Uniform Wildlife Regulatory Act for some areas and tracts in the state, but not for the Alabama-Coushatta Indian Reservation. In addition we have found no other Texas law that would exempt the reservation from code provisions applicable to Polk County generally, unless article 5421z, V.T.C.S., which purports to make the Texas Indian Commission responsible for "the development of the human and economic resources of the Alabama-Coushatta Indian Reservation" provides such an exemption. Id. §7. The authority of the Texas Indian Commission over reservation lands will be discussed in the course of considering a contention that no specific exemption is necessary to exempt reservation lands from the operation of the Parks and Wildlife Code because, it is argued, the peculiar status of the reservation as an Indian reservation removes it from the reach of the state's wildlife regulatory powers.

It is a general rule in the United States, of federal origin, that a state cannot enforce its game and fish laws within the domain of an Indian reservation situated within the borders of the state. See 41 Am. Jur. 2d Indians §19. Cf. Montana v. United States, 450 U.S. 544 (1981) (regulation of non-Indians). However, in Attorney General Opinion MW-49 (1979), this office observed that federal authority to enact legislation singling out tribal Indians for special treatment derives from the power of Congress to regulate commerce with Indian tribes, from the treaty power, and from the federal trusteeship over Indian lands established by the Indian Nonintercourse Act. See U.S. Const. art. I, §8, cl. 3; art. II, §2, cl. 2; 25 U.S.C. §177; Worchester v. Georgia, 31 U.S. 515 (1832). States do not share a similar "unique relationship" with Indians and may enact legislation singling them out only when authorized to do so by Congress. See Washington v. Confederated Bands and Tribes of the Yakima Indian Nation, 439 U.S. 463 (1979); Foster v. Pryor, 189 U.S. 325 (1903). In passing, Attorney General Opinion MW-49 (1979) noted that the Alabama-Coushatta people have been specifically recognized by federal law, but it did not address the current status of those Indians under either Texas or federal law, or propose to settle any question with respect to them.

The current legal status of the Alabama and Coushatta Indians and of the Alabama-Coushatta reservation has been obscured and confused by past opinions of this office that sometimes were not consistent with the Texas Constitution nor with each other. The Texas Constitution adopted in 1876 makes no distinction -- and has never made one — between Indians and other people, or between Indian peoples of different tribes. See Ex parte Flournoy, 312 S.W.2d 488, 491 (Tex.

1958); *Missouri Pacific Railway Company v. Cullers*, 17 S.W. 19, 21 (Tex. 1891). Until Congress made them United States citizens in 1924, Act of June 2, 1924, ch. 234, 43 Stat. 253, Indians were treated by Texas courts as resident aliens. *Missouri Pacific Railway Company v. Cullers*, *supra*. Since that time they have shared the rights and responsibilities of all Texans. *See also* 8 U.S.C. §1401(b); Attorney General Opinion V-664 (1948). *Cf.* Attorney General Opinion O-2802 (1940). Moreover, in 1972 a provision was added to the Texas Constitution prohibiting discrimination under the law on the basis of *national* *origin*. Tex. Const. art. I, §3a.

Some past Attorney General Opinions have regarded the Alabama-Coushatta people as "wards of the state," and have considered the state to be the "trustee" of all their land; some have not. In Attorney General Opinion V-664 (1948), the 1,280 acre tract was said to have been "conveyed to the Indians tax free and inalienable," but that statement was apparently based upon an article in the Southwestern Historical Quarterly, and not upon an independent examination of the appropriate deeds or the tax laws of the state. *See* Smither, *The Alabama Indians of Texas*, 36 Southwestern Historical Quarterly 83, 98 (1932). In Attorney General Opinion WW-43 (1957), it was declared that "[t]he Act of 1854 and the original deeds placed title to said land in the tribe of the Alabama Indians. . . . *Such being the case, the State is not a trustee of the land, since it belongs to the Indians*." (Emphasis added).

As stated earlier, the Alabama-Coushatta Indian Reservation consists principally of two tracts, one of them having been purchased in various units during 1854 and 1855, and the other having been deeded to the state much later by the federal government. Originally, the Alabama tribe and the Coushatta (or Coushatti) tribe were separate peoples. The 1854 grant of the 1,280 acres that constituted the original part of the reservation was made in the form of several deeds to "the tribe of Alabama Indians" or "that tribe of Indians known as the Alabama Indians." Some of the deeds alluded to the legislative purpose of the transaction but none expressly conveyed the lands to a "trustee" for the Indians or in any way restricted the future alienation of the lands conveyed. *See* D. Jacobson, H. Martin, R. Marsh, Alabama-Coushatta Indians 348 (1974). However, the act which authorized the purchase provided that:

> said Indians shall not alien, lease, rent, let, give or otherwise dispose of said land or any part thereof to any person whatsoever. And should the State of Texas hereafter provide a home for said tribe of Indians, and settle them thereon, then the said twelve hundred and eighty acres of land, with its improvements, shall become the property of the State.

Acts 1854, 5th Leg., ch. 44, at 68.

Although the Coushatta Indians came to join the Alabamas on the reservation in the interim, for many years following the 1854 purchase of the 1,280 acre tract the Indians and their land were not the subject of either judicial or legislative scrutiny. It was not until 1928 that the federal government purchased the larger tract "in trust for the Alabama and Coushatta Indians of Texas." *See* Act of May 29, 1928, ch. 853, 45 Stat. 883, 900; 88 Deed Records of Polk County Texas 209 (1928). Furthermore, it was in the 1929 biennial appropriation bill for "state eleemosynary institutions" that the Texas legislature, for the first time following the adoption of the 1876 Constitution, appropriated money to the "Alabama and Coushatti Indians in Polk County, Texas." Among the items of appropriations was one for "50 homes for inmates." By rider the appropriations act specified that an agent (whose salary was to be paid one-half by the federal government) was to be appointed by and be under the control of the Board of Control. Acts 1929, 41st Leg., 3rd C.S., ch. 17, at 457, 484-85. In our opinion, these 1929 provisions were invalid.

Although an earlier legislative session had authorized the Board of Control to purchase all supplies used by "each eleemosynary institution. . . and all other State Schools or Departments of the State Government heretofore or hereafter created," Acts 1929, Forty-First Legislature, second Called Session, chapter 17, at 30, no *general* legislation had designated the Alabama-Coushatta lands as an eleemosynary institution in 1929. Article III, section 44 of the constitution expressly prohibits (and prohibited then) the legislature from making any appropriation "when the same shall not have been provided for by pre-existing law." *Corsicana Cotton Mills, Inc. v. Sheppard*, 71 S.W.2d 247, 250 (Tex. 1934). At the very time the appropriation is made, there must already be in force some valid law rendering the claim to be paid a legal and valid obligation of the state; a "moral obligation" will not suffice. *Austin National Bank v. Sheppard*, 71 S.W.2d 242, 245 (Tex. 1934). The same section of the constitution also prohibits the legislature from employing of anyone in the name of the state unless authorized by pre-existing law. Moreover, appropriation act riders, to be valid, must do no more than detail, limit, or otherwise restrict the use of funds appropriated. Tex. Const. art. III, §35; *Moore v. Sheppard*, 192 S.W.2d 559 (Tex. 1946). *See* Attorney General Opinion V-1254 (1951).

Nevertheless, from 1929 on, appropriations were regularly made to either the "Alabama and Coushatta Indians" or the "Alabama and Coushatta Indian Agency." Later, in 1949, two relevant (but inadequate) general acts in *pari materia* were passed by the legislature; they dealt with "Texas State Hospitals and Special Schools." The first, passed in April 1949, was an act designating the institutions previously called "Eleemosynary Institutions" as "Texas State Hospitals and Special Schools." The title of the act did not refer to the Alabama-Coushatta tribe or its land, but the body of the law included the "Alabama-Coushatti Indian Agency" in the list to be thereafter known collectively as the "Texas State Hospitals and

Special Schools." Acts 1949, 51st Leg., ch. 157, at 324-25. The second act, finally passed in May of that year, was one, according to its title, "creating a Board for Texas State Hospitals and Special Schools" and "providing the transfer to said Board the control and management of hospitals and special schools." Again, the title omitted any reference to the Alabama-Coushatta and the land, but the body of the act specified that the term "Texas State Hospitals and Special Schools" shall mean, inter alia, "The Alabama Coushatti Indian Reservation, Livingston, Texas." Acts 1949, 51st Leg., ch. 316, at 588-89.

As will be later discussed, the 1949 acts, too, were ineffective to convert the lands into a state institution, in our opinion. Subsequently, however, three opinions, Attorney General Opinions WW-782 (1960); C-520 (1965) and C-593 (1966), relied upon the designation of the reservation as a "special school" under the jurisdiction of the Board for Texas State Hospitals and Special Schools or the Texas Commission for Indian Affairs, its successor, to determine the legal status of the reservation. The latter two opinions seemed to assume that the Texas Indian Commission, as successor to the earlier board, was charged with the control and management of the entire reservation and not merely land conveyed in trust to the state by the federal government. The same assumption was apparently made by Attorney General Opinion M-44 (1967).[1] The most recent opinion of this office relating specifically to the Alabama-Coushatta reservation did not address the question but did cite Attorney General Opinion C-520 (1965). See Letter Advisory No. 78 (1974). See also Attorney General Opinion O-7446 (1946).

Only the federally purchased land was involved in Attorney General Opinion WW-327 (1957), and the status of the 1,280 acres was not discussed. Attorney General Opinion WW-468 (1958), however, recognized that distinctions in legal status were to be made between the federally purchased and state purchased tracts, and said of the 1854 transaction, "to accurately determine the nature of the estate conveyed to the Indians, we must construe the deed and the Act together." It concluded that an oil and gas lease by the Indians on the 1,280 acres was prohibited by the 1854 legislative restriction against alienation but said, "[t]he reversionary estate is in the State of Texas and should the Legislature see fit to provide a lawful procedure for leasing these lands, it could do so." Thus, it appears that the removal of any legal restrictions upon alienation of the land by the Indians was thought by the author of WW-468 to depend upon a discretion lodged in the owner of the reversionary interest in the land, and not upon any trust relationship between the state and the tribe or its members, or upon any discretion that the state as a trustee might have in managing a trust for the benefit of the Indians.

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[1] The 1954 federal law "authorized" the tribe to convey the 1,280 acre tract to the state, but no such transfer was ever made insofar as we have determined; see 25 U.S.C. §721; Attorney General Opinion WW-43 (1957).

After a thorough review of all the applicable deeds, statutes, court opinions and Attorney General Opinions, we have concluded that in 1949 the Indians owned the 1,280 acres free of trust, and the rest of the land was held in trust for them by the United States, not by the state. No doubt with good intentions, but without the apparent consent of the Indians, the 1949 legislature purported to convert the tribal lands into an eleemosynary type institution and to vest control and management over them in the Board for Texas State Hospitals and Special Schools. *Cf.* Tex. Const. art. VII, §9 (asylums). Prior to these 1949 enactments, no *general* statute that we have found referred to the tribal lands as an eleemosynary institution or placed them under the control of a state agency, or even referred to them as a "reservation." *Cf.* Acts 1934, 43rd Leg., 2nd C.S., ch. 53, at 115 (creating Indian Village Independent School District). Indeed, one year earlier, in Attorney General Opinion V-664 (1948), it had been noted that "Indian Reservations" are areas which were reserved to Indians in treaties between the United States and the Indian tribes, and that the United States did not own any land in Texas to "reserve" for Indian tribes.[2] The opinion discussed the grants of state purchased and federally purchased lands, concluding:

> We are of the opinion that the Alabama and Coushatta Indians in Polk County are citizens of the United States and residents of the State of Texas. . . . We find nothing in the assistance given them by the State and Federal Government which renders them 'paupers' or otherwise disqualified to vote.

The state's ostensible assumption of power over the Indians' property was clearly in violation of article I, section 19 of the Texas Constitution, which specifies that no citizen of this state shall be deprived of "life, liberty, property, privileges or immunities, or in any manner disfranchised" except by due course of the law of the land. *See Eggemeyer v. Eggemeyer*, 554 S.W.2d 137, 140-41 (Tex. 1977). *See also* Tex. Const. art. I, §17 (taking, damaging or destroying property for public use). The Texas Constitution protected Indian citizens in their liberty and protected their property from confiscation, both in 1929 and thereafter.

"The Texas Indian Commission" is the name given in 1975 to the Commission for Indian Affairs, which in 1965 succeeded the Board for Texas State Hospitals and Special Schools with respect to the *supervision*, *management*, and *control* of the Alabama-Coushatta Indian Reservation. V.T.C.S. art. 5421z; Acts 1975, 64th Leg., ch. 185, at 435; Acts 1965, 59th Leg., ch. 279, at 552. Neither in 1965, 1949, or

---

[2] Our use in this opinion of the popular designation "Alabama-Coushatta Indian Reservation" is for convenience only. Neither the 1,280 acre tract nor the 3,071 acre tract were ever part of the federal public domain, and federal statutes do not refer to the lands as an "Indian reservation."

1929 could the legislature by fiat make the Indians "wards of the state" or "inmates" of an eleemosynary institution, nor otherwise deprive them of their property or personal rights. The statutory attempts to unilaterally invest the Board of Control, and later the Board for Texas State Hospitals and Special Schools, with control and management of the 1,280 acre tract and associated assets were ineffective to legally accomplish that result. The 1965 act transferring the "powers, duties and functions" of the latter board to the new Commission for Indian Affairs (now the Texas Indian Commission) plainly accomplished no more, with respect to the title and control of that tract, than did the earlier acts. There may be valid subsequent transactions and covenants that affect the present use and disposition of the Indians' land, but there is no valid state law of which we are aware that would subject enforcement of the Parks and Wildlife Code on the 1,280 acre tract to any regulatory power of the Texas Indian Commission, nor one that would constitute the 1,280 acre tract an "Indian Reservation" within the meaning of federal law. See Attorney General Opinion MW-49 (1979). See also Organized Village of Kake v. Egan, 369 U.S. 60 (1962) (state power over non-reservation Indians).

We have not overlooked the terms of the 1854 law under which the original purchases were made. The conditional reverter and the restraints on alienation imposed by the 1854 act, assuming they should be read into the deeds to the 1,280 acres received by the Indians, have since been made nugatory by operation of law. It is no longer constitutionally permissible for the state of Texas to "provide a home for said Indians, and settle them thereon." Tex. Const. art. I, §3a. As a result, the grant has become absolute and not subject to defeasance. Davis v. Gray, 83 U.S. 203 (1873). Furthermore, perpetual disabling restraints on alienation are invalid under the present constitution. Tex. Const. art. I, §26. See Mattern v. Herzog, 367 S.W.2d 312 (Tex. 1963); Trustees of the Casa View Assembly of God Church v. Williams, 414 S.W.2d 697 (Tex. Civ. App. - Austin 1967, no writ). See also Gray v. Vandver, 623 S.W.2d 172 (Tex. App. - Beaumont 1981, no writ). Cf. Sonny Arnold, Inc. v. Sentry Savings Association, 633 S.W.2d 811 (Tex. 1982).

We turn now to the federally purchased tract of 3,071 acres. Neither the Alabamas nor the Coushattas have ever been signatories to a treaty with the federal government. When the early appropriation acts and the 1949 general statutes were passed, that tract was held in trust for the Indians not by the state of Texas, but by the United States, which had assumed a "unique relationship" with the tribe by statute, not by treaty. See Act of May 29, 1928, ch. 853, 45 Stat. 883, 900. The 1949 Texas legislation was obviously ineffective in itself to legally convert that federally held tract into an eleemosynary type institution controlled and managed by a state agency. The actual transfer of trust responsibilities from the United States to the state did not occur until 1955.

The "trust relationship" toward the Alabama-Coushatta that the federal government assumed in 1928 when it purchased the 3,071 acre tract for them was terminated by Congress in 1954. Section 726 of title 25, United States Code, provides, among other things:

> [A]ll statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the Alabama and Coushatta Tribes of Texas or the members thereof. . . and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

The effect of such "termination" was to destroy the "unique" status of the combined tribes and their members under federal law. Cf. United States v. Antelope, 430 U.S. 641, 647 n.7 (1977), citing with approval United States v. Heath, 509 F.2d 16 (9th Cir. 1974). See also Bryan v. Itasca County, 426 U.S. 373, 389 & n.15 (1976) (alluding specifically to the Alabama-Coushatta Tribes of Texas and their "termination" status). "Termination" is the last step in assimilation. Cheyenne-Arapaho Tribes of Oklahoma v. Oklahoma, 681 F.2d 705, 706 (10th Cir. 1982). See Affiliated Ute Citizens of the State of Utah v. United States, 406 U.S. 128 (1972) (effect of trust termination). Cf. Menominee Tribe of Indians v. United States, 391 U.S. 404 (1968) (treaty rights preserved by act in pari materia with termination act); Kimball v. Callahan, 590 F.2d 768 (9th Cir. 1979) (treaty rights expressly preserved by termination act itself); United States v. Felter, 546 F. Supp. 1002 (D. Utah, C.D., 1982) (mixed blood's tribal rights). The Supreme Court in Bryan v. Itasca County, supra, indicated that the congressional intent was to subject the Alabama-Coushatta "to the full sweep of state laws and state taxation." 426 U.S. at 389. Cf. United States v. John, 437 U.S. 634 (1978); Eastern Band of Cherokee Indians v. Lynch, 632 F.2d 373 (4th Cir. 1980) (tribes currently under federal supervision). At the same time, the federal corporate charter of the Alabama-Coushatta Tribes of Texas was revoked. 25 U.S.C. §725. As a consequence, apart from the rights of its members in the land previously mentioned, the "Alabama-Coushatta Tribes of Texas" is merely an unincorporated association under Texas law, with the same legal status as other private associations. See generally 7 Tex. Jur. 3rd Associations and Clubs §1 et seq. Cf. Attorney General Opinion MW-49 (1979).

The extent to which it was intended by the 1955 transfer to give control of the 3,071 acres to the state is somewhat in doubt. The legislative history of the act authorizing the transfer is found at [1954] U.S. Code Congressional and Administrative News 3119. There is some indication that the transfer was proposed mainly to allow state management of the timber resources of the tribe. Id. at 3121, 3122. In any event, the bill was amended, at the insistence of the Indians, to make any disposition of the lands by the state "subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas." *Id.* at 3129, 3130. *See* 25 U.S.C. §721.

The state did not step into the shoes of the federal government when it became trustee of the 3,071 acre tract, because it could not legally assume the *same* relationship toward the Indians that the United States occupied. As noted, prior to the transfer the United States purported to exercise its trusteeship in the context of its "unique relationship" with the tribe established by the Federal Constitution and the Indian Nonintercourse Act. *See* U.S. Const. art. I, §8, cl. 3; art. II, §2, cl. 2; 25 U.S.C. §177. On that basis, Congress could constitutionally provide the Indians special treatment rationally tied to its unique obligation toward them. *Morton v. Mancari*, 417 U.S. 535 (1974). As also noted, however, Indians occupy no status under state law that would authorize the state to single them out in a constitutionally offensive manner. Mere congressional permission to do so (as contrasted with a congressional mandate) is not enough if *state* law does not allow the state to exercise the permission granted. *Washington v. Confederated Bands and Tribes of the Yakima Indian Nation*, 439 U.S. 463 (1979). *See* Attorney General Opinion MW-49 (1979). The congressional language repudiates any suggestion that a federal preemption of state law was contemplated. The act effecting the transfer expressly specifies that "the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction." 25 U.S.C. §726. *See* *Rehner v. Rice*, 678 F.2d 1340, 1345 and n.11 (1982).

Under state law, the state of Texas or one of its agencies may hold and administer trust property in order to accomplish a proper public purpose, *Friedman v. American Surety Company of New York*, 151 S.W.2d 570 (Tex. 1941), but agents of the state cannot legally administer a trust or act as trustees if the agreement to do so is against public policy. *Amalgamated Transit Union, Local Division 1338 v. Dallas Public Transit Board*, 430 S.W.2d 107 (Tex. Civ. App. - Dallas 1968, writ ref'd n.r.e.), *cert. denied*, 396 U.S. 838 (1969). Therefore, in order for the state of Texas properly to hold and administer the trust accepted from the federal government, such acts must serve a proper public purpose under Texas law.

In 1955, when the United States transferred the land in trust to the state, the constitutional concept of equality under the law was undergoing change. It was still arguable then that classifications by a state on the basis of race or national origin were permissible if they were rationally predicated. Since that time it has become clear that such classifications can be justified only by a compelling state interest. *Hunter v. Erickson*, 393 U.S. 385 (1969). *Cf. Shapiro v. Thompson*, 394 U.S. 618 (1969). In 1972, Texas adopted an amendment to the state constitution reading:

> Equality under the law shall not be denied or abridged because of sex, race, color, creed, or national origin. This amendment is self-operative.

Tex. Const. art. I, §3a. Absent a compelling need, the state cannot discriminate either in favor of or against the Alabama-Coushatta people simply because they are "Indian." See Mercer v. Board of Trustees, North Forest Independent School District, 538 S.W.2d 201 (Tex. Civ. App. - Houston [14th Dist.] 1976, writ ref'd n.r.e.). Cf. Shaver v. Hunter, 626 S.W.2d 574 (Tex. App. - Amarillo 1981, writ ref'd n.r.e.); In re Baby Girl S, 628 S.W.2d 261 (Tex. App. - Eastland 1982, writ ref'd n.r.e.); Lincoln v. Mid-Cities Pee Wee Football Association, 576 S.W.2d 922 (Tex. Civ. App. - Fort Worth 1979, no writ); Vick v. Pioneer Oil Company, 569 S.W.2d 631 (Tex. Civ. App. - Amarillo 1978, no writ).

The evident purpose of all the state enactments since 1929 concerning the Alabama-Coushatta Indians has been to aid a small, needy ethnic group to which the state considered itself morally obligated, if not legally so. Even if a rational basis for extending such aid might be postulated, it cannot be said that a compelling public purpose is served by singling out the Alabama-Coushatta people to be beneficiaries of a gratuitous trust relationship with the state.

A covenant or agreement that promotes racial discrimination cannot be enforced by state action. Clifton v. Puente, 218 S.W.2d 272 (Tex. Civ. App. - San Antonio 1948, writ ref'd n.r.e.). See also Shelley v. Kraemer, 334 U.S. 1 (1948); Harrison v. Tucker, 342 S.W.2d 383 (Tex. Civ. App. - Fort Worth 1961, writ ref'd n.r.e.). The "trust" arrangement discriminates between the Alabama-Coushatta people and other citizens on the basis of their "Indian" origin. Agents of the state, therefore, cannot control the 3,071 acre tract as trustees. Moreover, the deed from the federal government to the state conveying the land "in trust" does not prescribe the nature of the trust. Under such circumstances, the trust is "dry" and the beneficiaries are entitled to the actual possession and enjoyment of the property. The deed must be treated as vesting the title to the 3,071 acre tract in the Indians themselves. Moore v. City of Waco, 20 S.W. 60, 63 (Tex. 1892). See Bohn v. Bohn, 420 S.W.2d 165 (Tex. Civ. App. - Houston [1st Dist.] 1967, writ dism'd); 57 Tex. Jur. 2d Trusts §34.

In our opinion, the 3,071 acre tract is entirely free from any legally meaningful designation as an "Indian Reservation". The 1929, 1949, 1965 and 1975 enactments of the Texas legislature were no more effective to constitute it an "Indian Reservation" than they were to so constitute the 1,280 acre tract. See Attorney General Opinion MW-49 (1979). It follows that to the extent the Texas Parks and Wildlife Department would otherwise be empowered to enforce provisions of the Texas Parks and Wildlife Code within the confines of the

"Alabama-Coushatta Indian Reservation" it is not precluded from doing so by virtue of a claim that it is an "Indian reservation." Parks and Wild. Code §287.001. To the extent that prior opinions of this office are inconsistent with the foregoing, they are overruled.

SUMMARY

To the extent the Texas Parks and Wildlife Department would otherwise be empowered to enforce provisions of the Texas Parks and Wildlife Code within the confines of the "Alabama-Coushatta Indian Reservation," it is not precluded from doing so by virtue of a claim that it is an "Indian Reservation."

Very truly yours,

Jim Mattox

JIM MATTOX
Attorney General of Texas

TOM GREEN
First Assistant Attorney General

DAVID R. RICHARDS
Executive Assistant Attorney General

Prepared by Bruce Youngblood
Assistant Attorney General

APPROVED:
OPINION COMMITTEE

Susan L. Garrison, Chairman
Jon Bible
Rick Gilpin
Eva Loutzenhiser
Jim Moellinger
Bruce Youngblood

BOB BULLOCK
Comptroller

COMPTROLLER OF PUBLIC ACCOUNTS
STATE OF TEXAS
AUSTIN, 78774

March 27, 1984

Mr. Tony Byars
Superintendent, Alabama-Coushatta
Indian Reservation
Route 3, Box 640
Livingston, Texas 77351

Dear Mr. Byars:

Your question as to whether or not oil and gas royalties being received by the Alabama-Coushatta Tribe are exempt from the state severance taxes has been researched and we have concluded that the severance tax is due.

A copy of Mr. Craig's findings is enclosed.

Any correspondence in this matter should be directed to the attention of the Minerals Tax Division, or contact me at 512/475-3341 or our Texas toll-free number, 1-800-252-5555, Extension 191.

Very truly yours,

G. C. Edgar, Director
Minerals Tax Division

GCE:el

Enclosure

ccs: Mr. Tom Winkelman
Mr. Ulin Smith
Union Oil Company of California
4635 S.W. Frwy., 900 Exec. Pl. W.
Houston, Texas 77027

INTEROFFICE MEMORANDUM

BOB BULLOCK
COMPTROLLER OF
PUBLIC ACCOUNTS

Date: March 26, 1984
File:

To: G. C. Edgar, Minerals Tax
From: Richard Craig, Legal-Services RC
Subject: Applicability of Oil and Gas Severance Tax to Production on Alabama-Coushatta Indian Reservation

The question has arisen as to whether certain revenues from oil and gas production on the Alabama-Coushatta Indian Reservation in Polk County are exempt from TEX. TAX CODE ANN. ch.201 and ch.202. Specifically, the concern is whether or not the Tribe receiving the royalty interest is itself a state or federal agency. The short answer is no. The royalty interest of the Tribe paid from the sale of oil and gas production on the reservation is subject to these taxes.

The Alabama-Coushatta Indian Reservation is composed of 1,280 acres of land originally purchased by the State of Texas in 1856 and 3,071 acres originally purchased by the United States in 1928. Some Indian tribes or nations have historically enjoyed quasi-independent status for certain purposes. The Federal government has always pre-empted most questions regarding most of the Indian tribes in the United States. Most reservations are creations of Congress or treaties. The statutes or treaties creating these reservations often had specific provisions exempting the land from state and local taxation. This exemption was generally codified in 25 U.S.C.A. Section 465 enacted in 1934. Section 462 extended the period of United States government trust status with regard to any Indian lands. Section 465 went on to state: "Title to any lands or rights acquired pursuant to Section 461, 462 . . . . shall be taken in the name of the United States in trust for the Indian tribe or individual Indian . . . and such lands or rights shall be exempt from State and local taxation".

However, twenty years later in 1954, the United States Congress, terminated any such supervision or trust status it had exercised over the Alabama-Coushatta tribes of Texas. It enacted 25U.S.C.A. Section 721 et. seq. transferring the federally-owned reservation property to the state in trust for the tribes and cancelled the tribes indebtedness to the U.S. government. Section 726 further provides that all statutes of the United States that affect Indians because of their status as Indians shall no longer be applicable to the Alabama-Coushatta tribes or their members. It also states: ". . . the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction". Therefore, no federal law offers any hope to these tribes in escaping these taxes. The tribe cannot be said to be a political subdivision of the federal government.

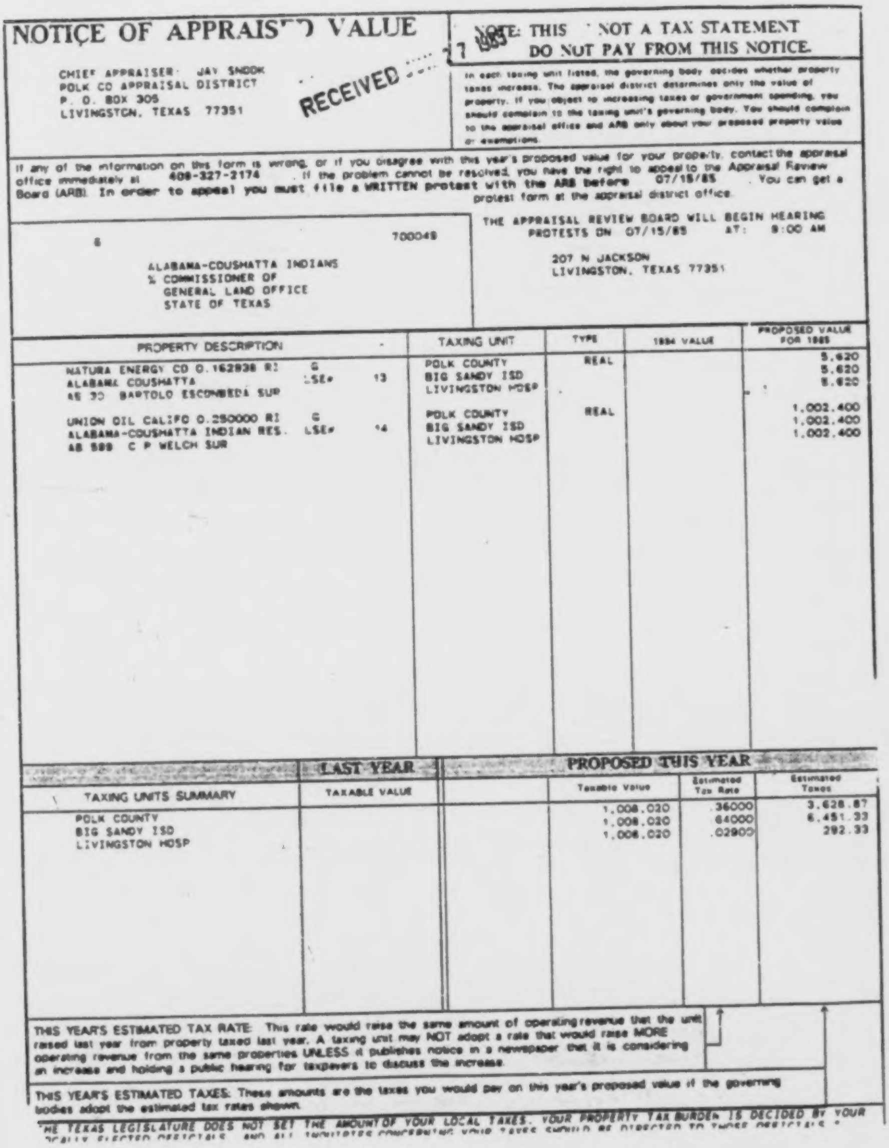
Neither does any state statute appear to offer them protection. When oil and gas were first discovered on the reservation, the question arose whether the tribe possessed a fee simple interest in the land and its minerals. Attorney General Opinion WW-468(1958) held that they did not. It pointed to the Act dated February 3, 1854 (4 Gammel 68) by which the state purchased this land for the Indians. Section 3 of the 1854 Act provided: " . . . and that said Indians shall not alien, lease, rent, let, give or otherwise dispose of said land or any part thereof to any person whatsoever. And should the State of Texas hereafter provide a home for said tribe of Indians, and settle them thereon, then the said twelve hundred and eighty acres of land with its improvements, shall become the property of the State".

This problem was cured the next year when the Texas Legislature passed H.B.409 (codified as TEX. REV. CIV. STAT. ANN. art. 5382d) providing for the "Alabama-Coushatta Tribes-Leasing of Land". It allowed the land to be leased for the purpose of exploration for oil, gas and other minerals. It provided that "all revenues realized from said leasing shall be paid to the Commissioner of the General Land Office" to be deposited in a special bank account to be known as the "Alabama-Coushatta Mineral Fund". These funds could be expended for such purposes as the Tribal Council of the Alabama-Coushatta tribes recommended and the Board for Texas Hospitals and Special Schools approved.

There now seems to be no question that the reservation land belongs to the tribes despite any "ward status" the State of Texas may theoretically exercise over them. Attorney General Opinion WW-43(1957) contains language which seems to make this clear. On page 13 of that opinion it states in part: " . . . the State is not a trustee of the land, since it belongs to the Indians . . . The land is owned by the Indians and the State would own no interest in the receipts from sales of cut timber . . .".

The Comptroller's Rules 34 T.A.C. Section 3.34 (oil) and Section 3.14 (natural gas) provide that certain types of royalty interests are exempt from the taxes imposed by TEX. TAX CODE ANN. ch.202 and ch.201. Rule 3.34 provides that cities, towns, villages, counties, independent school districts, common school districts, public colleges and universities and political subdivisions of the Federal government are exempt. Rule 3.14 tracks the same language, including the same entities. The Alabama-Coushatta Indian Tribe falls within none of these categories. The Tribe is in no sense a State agency or institution. See Attorney General Opinion No. JM-17 issued March 22, 1983. That opinion discusses the history of the Tribe at length. It states on page 5 and 7: "Neither . . . could the legislature by fiat make the Indians 'wards of the state' or 'inmates' of an eleemosynary institution, nor otherwise deprive them of their property or personal rights." The conclusion is therefore inescapable that these taxes apply to the Alabama-Coushatta Tribe as to any other "producer".

RC/jr



NOTICE OF APPRAISED VALUE

RECEIVED 7 1985

NOTE: THIS NOT A TAX STATEMENT
DO NOT PAY FROM THIS NOTICE.

CHIEF APPRAISER: JAY SNOOK
POLK CO APPRAISAL DISTRICT
P. O. BOX 305
LIVINGSTON, TEXAS 77351

In each taxing unit listed, the governing body decides whether property taxes increase. The appraisal district determines only the value of property. If you object to increasing taxes or government spending, you should complain to the taxing unit's governing body. You should complain to the appraisal office and ARB only about your proposed property value or exemptions.

If any of the information on this form is wrong, or if you disagree with this year's proposed value for your property, contact the appraisal office immediately at 409-327-2174. If the problem cannot be resolved, you have the right to appeal to the Appraisal Review Board (ARB). In order to appeal you must file a WRITTEN protest with the ARB before 07/15/85. You can get a protest form at the appraisal district office.

6 700049

ALABAMA-COUSHATTA INDIANS
% COMMISSIONER OF
GENERAL LAND OFFICE
STATE OF TEXAS

THE APPRAISAL REVIEW BOARD WILL BEGIN HEARING PROTESTS ON 07/15/85 AT: 9:00 AM

207 N JACKSON
LIVINGSTON, TEXAS 77351

PROPERTY DESCRIPTION			TAXING UNIT	TYPE	1984 VALUE	PROPOSED VALUE FOR 1985
NATURA ENERGY CO 0.162938 RI	G		POLK COUNTY	REAL		5,620
ALABAMA COUSHATTA	LSE#	13	BIG SANDY ISD			5,620
AB 30 BARTOLO ESCONBEDA SUR			LIVINGSTON HOSP			5,620
UNION OIL CALIFO 0.250000 RI	G		POLK COUNTY	REAL		1,002,400
ALABAMA-COUSHATTA INDIAN RES.	LSE#	14	BIG SANDY ISD			1,002,400
AB 589 C P WELCH SUR			LIVINGSTON HOSP			1,002,400

	LAST YEAR	PROPOSED THIS YEAR			
TAXING UNITS SUMMARY	TAXABLE VALUE		Taxable Value	Estimated Tax Rate	Estimated Taxes
POLK COUNTY			1,008,020	.36000	3,628.87
BIG SANDY ISD			1,008,020	.64000	6,451.33
LIVINGSTON HOSP			1,008,020	.02900	292.33

THIS YEAR'S ESTIMATED TAX RATE: This rate would raise the same amount of operating revenue that the unit raised last year from property taxed last year. A taxing unit may NOT adopt a rate that would raise MORE operating revenue from the same properties UNLESS it publishes notice in a newspaper that it is considering an increase and holding a public hearing for taxpayers to discuss the increase.

THIS YEAR'S ESTIMATED TAXES: These amounts are the taxes you would pay on this year's proposed value if the governing bodies adopt the estimated tax rates shown.

THE TEXAS LEGISLATURE DOES NOT SET THE AMOUNT OF YOUR LOCAL TAXES. YOUR PROPERTY TAX BURDEN IS DECIDED BY YOUR

SUPPLEMENT TO

HOUSE JOURNAL
Sixty-Ninth Legislature, Regular Session
Text of Conference Committee Report
House Bill No. 20

As Corrected by Senate Concurrent Resolution No. 188
And Amended by Senate Bill No. 1,
First Called Session

and

Appropriations Included in Senate Bill No. 249,
Regular Session,
To the Texas Water Development Board,
Texas Water Commission
And Texas River Compact Commissioners

and

Governor's Veto Proclamation

STATE OF TEXAS
1985

~~COMMISSION ON HUMAN RIGHTS~~
~~(Continued)~~

~~Method of Financing:~~

~~Federal Public Welfare Administration Fund No. 117 (Earned Federal Funds)~~	~~$ 91,0~~[illegible]	~~91,000~~
~~Federal Funds, estimated~~	~~56~~[illegible]	~~560,000~~
~~Total, Method of Financing~~	~~$~~ [illegible]~~51,000~~	~~$ 651,000~~

~~Schedule of~~ [illegible] ~~Positions~~

~~Executive Director~~	~~$ 46,800~~	~~$ 46,800~~

~~1. Funds appropri~~[illegible] ~~above out of the Federal Public Welfare Administration Fund~~ [illegible]~~17 are out of unexpended balances from funds appropriated to t~~[illegible]~~ Public Building Authority, Fund No. 117, in Senate Bill No~~[illegible]~~5, Sixty-eighth Legislature, Regular Session, 1983.~~

~~2.~~ [illegible] ~~appropriated above may be expended to employ personnel in cla~~[illegible] ~~position titles listed in Article V of the Act subject to the~~ [illegible] ~~approval of the State Classification Officer or in such other~~ [illegible]~~itions established and approved by the State Classification Office for~~ [illegible]

TEXAS INDIAN COMMISSION

	For the Years Ending August 31, 1986	August 31, 1987
Out of the General Revenue Fund:		
1. Administration:		
a. Executive Director	$ 38,200	$ 38,200
b. Other Administration	70,833	69,883
Total, Administration	$ 109,033	$ 108,083
2. Tigua Reservation:		
a. Superintendent (plus house and utilities)	$ 27,600	$ 27,600
b. Other Administration	256,428	256,428
c. Utilities	15,040	15,040
Total, Tigua Reservation	$ 299,068	$ 299,068
Out of Alabama/Coushatta Mineral Fund No. 157:		
3. Alabama/Coushatta Reservation:		
a. Superintendent (plus house and utilities)	$ 27,600	$ 27,600
b. Other Administration	121,290	121,290
Total, Alabama/Coushatta Reservation	$ 148,890	$ 148,890
GRAND TOTAL, TEXAS INDIAN COMMISSION	$ 556,991	$ 555,991

TEXAS INDIAN COMMISSION
(Continued)

Method of Financing:

General Revenue Fund	$ 408,101	$ 407,151
Alabama/Coushatta Mineral Fund No. 157	148,840	148,840
Total, Method of Financing	$ 556,941	$ 555,991

Schedule of Exempt Positions

Executive Director	$ 38,200	$ 38,200
Alabama/Coushatta Reservation:		
Superintendent (plus house and utilities)	27,600	27,600
Business Manager (plus house and utilities)	25,800	25,800
Tigua Reservation:		
Superintendent (plus house and utilities)	27,600	27,600

SCHEDULE OF CLASSIFIED POSITIONS, TEXAS INDIAN COMMISSION

Group 16
1163 Accountant III

Group 15
1504 Administrative Technician IV, 2

Group 13
1503 Administrative Technician III, 2

Group 12
9052 Maintenance Supervisor II

Group 11
1502 Administrative Technician II

Group 8
1501 Administrative Technician I

Group 7
0135 Secretary III

Group 5
8063 Security Worker III

Group 4
0131 Secretary I
1001 Accounting Clerk I, 2
4372 Medical Aide II

Group 3
0103 Clerk Typist I
9001 Helper, Maintenance and Construction, 3

TEXAS INDIAN COMMISSION
(Continued)

Group 3
0051 Clerk I, 3
9003 Laborer

1. The moneys appropriated by Item 1.b., above, may be expended for the per diem of Commissioners, at STE 830, and their travel expenses, and travel expenses of the Executive Director.

2. Funds appropriated above in Item 3., Alabama/Coushatta Reservation are hereby appropriated from revenues received during the biennium beginning with the effective date of this Act, and from any balances on hand at the beginning of each fiscal year of the biennium in the Alabama/Coushatta Mineral Fund No. 157.

3. None of the funds appropriated above in Item 1.b., Other Administration, may be expended for full-time classified employees who work less than forty (40) hours a week.

4. It is the intent of the Legislature that the Texas Indian Commission relocate its office to Austin, Texas, on or before November 30, 1985.

	For the Years Ending August 31, 1986	August 31, 1987
1. Board and Executive Administration:		
a. Chairman	$ 54,850	$ 54,850
b. Board Members, 2 at $54,150 (1986) and $54,150 (1987)	108,300	108,3[illegible]
c. Executive Director	50,500	50,[illegible]
d. Other Administration	435,162	4[illegible]2
2. Staff Services	444,121	[illegible],121
3. Records Maintenance	2,094,890	[illegible]4,945
4. Review and Prehearing of Claim Files	3,547,565	[illegible],534,226
5. Awards Evaluation	186,677	186,677
6. Medical Cost Evaluation	90,55[illegible]	93,566
7. Crime Victims Compensation Act:		
a. Administration	[illegible]2	263,189
b. Medical Cost Evaluation	[illegible]897	55,397
c. Payment of Claims, estimated	[illegible]0,000	7,042,000
GRAND TOTAL, INDUSTRIAL ACCIDENT BOARD	[illegible] 14,301,819	$ 14,382,933
Method of Financing:		
General Revenue Fund	$ 6,798,620	$ 6,780,397
Reappropriated Receipts, [illegible]timated	222,000	222,000
Crime Victims Compens[illegible] Fund No. 469, estimat[illegible]	7,281,199	7,380,536
Total, Method [illegible] Financing	$ 14,301,819	$ 14,382,933

Schedule of Exempt Positions

Cha[illegible]	$ 54,850	$ 54,850
Bo[illegible] Members, 2	54,150	54,150
[illegible]cutive Director	50,500	50,500
[illegible]sistant Executive Director	44,950	44,950

REC'D MAY 6 - 1986

Bob Bullock
Comptroller of Public Accounts
Austin, Texas 78774

512-463-4600
LBJ
State Office
Building

May 2, 1986

The Honorable Jim Mattox
Attorney General
State of Texas
Post Office Box 12548
Capitol Station
Austin, Texas 78711

Dear General Mattox:

A question has arisen as to the proper use of mineral fund money received from leases on the Alabama-Coushatta reservation.

My office has taken the position that since the funds have been appropriated to the Indian Commission, they cannot be withdrawn from the State Treasury and placed in a local bank account under the terms of the Funds Reform Act. The only appropriation to the Indian Commission for its operations at the Alabama-Coushatta reservation is from this fund.

For several years, the General Land Office has allocated mineral revenues from the leasing of Alabama-Coushatta tribal land to the Alabama-Coushatta Mineral Fund in accordance with Art. 5421z, sec. 19 V.T.C.S. The tribe would regularly withdraw such funds and deposit them in their local depository.

During the last general session of the Legislature, the Legislature appropriated this fund for the operations of the Indian Commission.

The tribe contends that the funds were not the Legislature's to appropriate and they have a legal right to withdraw these funds and use them as they please.

Therefore, I hereby request your official opinion on the following questions:

1. Was the appropriation by the Legislature of the Alabama-Coushatta Mineral Fund to the Indian Commission valid?

2. May the funds be withdrawn from the Treasury and placed in a local depository.

Your prompt attention to these questions will be appreciated.

Sincerely,

BOB BULLOCK
Comptroller of Public Accounts

BB:waa

cc: Raymond D. Apodaca
Executive Director
Texas Indian Commission

Don Ellyson
Chairman
Texas Indian Commission

Morris Bullock
Tribal Chairman
Alabama-Coushatta Indian Reservation

PREPARED STATEMENT OF BOB BULLOCK, COMPTROLER OF PUBLIC ACCOUNTS, TEXAS

Mr. Chairman and Members of the Select Committee on Indian Affairs, the measure before you now--H.R. 1344 (the Bill)--would grant federal recognition and federal benefits and services to the Alabama-Coushatta and Tigua Tribes of Texas. The Bill would also place the lands of these Tribes under federal trust.

The Bill--as passed the House, amended--raises serious concerns regarding the gambling regulatory authority of the State of Texas. To address those concerns, the Comptroller of Public Accounts for the State of Texas and the Tribes have come to an agreement.

This agreement incorporates amending the Bill in the following manner. Strike all of sections 107 and 207, and insert in lieu thereof two new sections, respectively:

> GAMING ACTIVITIES ON THE RESERVATION
>
> All forms of gaming, gambling, betting, lottery, and bingo on the reservation of the tribe or on any land acquired after the date of the enactment of this title and added to the reservation or held in trust status for the tribe is hereby prohibited. For the purpose of this section, the terms "gaming", "gambling", "betting", "lottery", and "bingo" shall have the meaning given those terms under the laws and administrative regulations of the State of Texas.

Amending the Bill in this manner, to which all parties involved have concurred, will provide a satisfactory arrangement for the protection of the State's regulatory authority.

I respectfully request that the Select Committee on Indian Affairs adopt such amendments to the Bill.

Thank you for extending to me the opportunity to express my view on this important issue.

PREPARED STATEMENT OF SUZAN SHOWN HARJO, EXECUTIVE DIRECTOR, NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. Chairman and Members of the Committee, I am pleased to present testimony in support of H.R. 1344, legislation to recognize the Ysleta del Sur Pueblo and the Alabama-Coushatta Tribes. This testimony is presented on behalf of the National Congress of American Indians (NCAI), which is the oldest and largest national organization serving American Indian and Alaska Native governments and people. In 1984, the delegates to the 41st Annual NCAI Convention unanimously supported the recognition and restoration efforts of the Ysleta del Sur Pueblo and the Alabama-Coushatta Tribes. H.R. 1344 was supported unanimously by the delegates to the 42nd Annual NCAI Convention, October 7 - 11, 1985.

As this Committee knows well, the termination policy of the 1950s and 1960s had disasterous effects upon those Indian nations and people subjected to it by the twelve acts of Congress which applied the policy. Since 1973, when Congress enacted legislation restoring the trust relationship between the United States and the previously terminated Menominee Tribe in Wisconsin, Congress has repudiated the termination policy and recognized that it was neither just nor beneficial.

On six occasions, Congress has acted to reverse the effects of termination on the Indian governments and people upon whom this ill-conceived experiment was carried out, and has restored the federal trust status to the majority of the Tribes that were terminated. Thus, of the major Tribes that were terminated pursuant to the twelve termination acts, only the Catawba Tribe in South Carolina, the Ponca Tribe in Nebraska, the Klamath Tribe in Oregon and the Alabama-Coushatta Tribes in Texas remain unrestored. While the Ysleta del Sur Pueblo was not terminated pursuant to the same policy as the other Tribes, having been ignored generally by the federal government since 1850, it nonetheless was made ineligible to receive federal services and benefits under a 1968 act of Congress.

H.R. 1344 would restore both Texas Tribes' eligibility for federal Indian programs, services and benefits, as well as bring their state trust reservation lands under the protection of federal law. Both the 1954 Alabama-Coushatta Termination Act and the 1968 Tigua Indians Act were unique, in that they - unlike other termination acts - merely provided for the transfer of the federal trust responsibility to the State of Texas. As a result, the State, through its Texas Indian Commission, has administered these two Tribes' affairs and served as trustee for their reservations in the years since the Congressional transfers of responsibility. Therefore, in terms of the devastation wrought by the termination policy on tribes and their citizens, the impact of termination on the Texas Tribes was less disruptive than for others, in that their reservations remained intact, tribal government continued to function and tribal citizens escaped the psychological trauma of being told that they were, in effect, no longer Indians and having their ancestral lands sold out from under them. Indeed, it can be fairly said that both Texas Tribes, until recently, have thrived under the trusteeship of the State of Texas.

The need and justification for this restoration legislation does not lie solely in the social and economic disruption that resulted from termination, although the citizens of both Tribes do have serious health and educational needs that the State has been unable to address adequately. Rather, the immediate need for this legislation is to be found in the recent actions of the State of Texas amounting to a repudiation of its trust obligations. Secondly, it is vitally important that the Texas Tribes be placed in the same status and under the same protective laws as the other Indian tribes in this country. Indian governments and people nationally suffer from decisions concerning the anomalous situations, and the development of consistent public policy is thwarted by the anomaly, which itself suffers from policy exclusion.

The 1983 opinion of the Texas Attorney General, about which the Committee will hear much today, together with the State's decisions to impose state and local taxes on tribal property for the first time in history, and the Texas Legislature's decision to cut off funds to the Alabama-Coushatta Tribe, all speak directly and forcefully to the conclusion that Texas has repudiated the assurances made to Congress in 1953 and 1967 and intends to withdraw from its obligations as trustee for the Tribes. This situation illustrates clearly that the long-term survival of Indian tribes cannot be subjected to the whim of local and state politics. Rather, if tribal governments and their reservations are to survive, they must be accorded the long-term and permanent protections of federal law.

The National Congress of American Indians is pleased to support legislation that will return these Texas Tribes to their rightful status in the national Indian community. We urge the Committee to act favorably and expeditiously, as the very survival of the Reservations and their resources are at stake.

PREPARED STATEMENT OF RAY RAMIREZ, SUPERINTENDENT, YSLETA DEL SUR PUEBLO

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to submit this statement. I would like to briefly describe for the Committee the operation and duties of the Texas Indian Commission's Ysleta del Sur Pueblo Agency. The Ysleta del Sur Pueblo was recognized by Texas as an Indian Tribe by H. R. 888 on May 23, 1967. Federal trust responsibilities for the Pueblo (Tigua Indian Reservation) were transferred to the State of Texas by Congress on April 12, 1968, through P. L. No. 90-287, 82 Stat. 93. Upon acceptance of that trust responsibility for the Ysleta del Sur Pueblo, the State of Texas, through Section 7, Chapter 279, Acts of the 59th Legislature, Article 5421z, Vernon's Texas Civil Statutes, mandated that the Texas Indian Commission "shall assist the Tigua Tribe in making their Reservation self-sufficient...and shall assist the Tribe in improving their health, education, agricultural, business, and industrial capacities."

With this mandate from the State Legislature, the Texas Indian Commission established the Tigua Agency, headed by a Superintendent, along with support staff. The duties and responsibilities of the position of Superintendent and support staff of the Ysleta del Sur Puebló are divided into various areas encompassing work as an Administrator, Fiscal Officer, Manager, Grant Writer, and Planner:

A. Administer and manage overall reservation staff and operations with an annual cumulative budget averaging over $2,000,000 per annum and a permanent staff of seven major department heads, and forty-seven (47) full and part-time employees.

B. Directly responsible to the Tribal Council, Texas Indian Commission and State of Texas for all programs administered by the Tigua Indian Reservation for the benefit of the Tigua Indian Community. Act as administrative, fiscal and management officer for:

1. State and Reservation property, building and equipment with a current value in excess of $10,000,000.
2. 114 Housing Unit Project with Community Center, Library, Daycare Center, Laundromat and recreation area.
3. Reservation Medical Assistance Plan.
4. Social services including counseling, interagency referrals, public assistance, employment.
5. Tribal Enterprise - Tribal/Community owned and operated businesses consisting of:
    - a. Tourism Division - Arts & Crafts Center and Store, Restaurant, Museum.
    - b. Sales & Manufacturing Division - Pottery Production Plant.

c. Spice Blending Plant located in Fabens, Texas.

6. Active Grants - HUD Housing Subsidy Grant; HUD Community Development Block Grants; HUD Community Improvement and Assistance Program; Small Business Administration; Jobs Training and Partnership Act Grant (JTPA); Texas Commission on Alcoholism, Tigua Alcoholism Prevention Program.

7. Provide security for all property and insure the safety and well-being of all Tribal members, as well as for all visitors to the Reservation. Provided by full-time security commissioned officer.

C. Act as chief planner and developer for Reservation projects involving land and facility utilization, management, maintenance and development.

D. Write, manage, and coordinate grants and grant programs. Evaluate and monitor grants and grant programs developed and managed by others on or affecting the Reservation.

E. Act as consultant/Advisor to the Tribal Council in all matters affecting the Tribe, Reservation and community.

F. Function as official spokesman, representative, and liaison for Tribe and Reservation with all private and public agencies.

At the present time, the State of texas, through its General Appropriations Act, funds the following 16 administrative positions:

1. Superintendent
2. Business Manager
3. Accountant
4. Cultural Center & Restaurant Manager
5. Administrative Assistant
6. Commissioned Security Officer
7. Secretary
8. Accounting Clerk (2)
9. Medical Aide
10. Clerk Typist
11. Clerk (2)
12. Maintenance Foreman
13. Maintenance Helper
14. Laborer

These positions, along with operational funds, represent an annual budget of $306,292.

Respectfully submitted,

Raymond Ramirez

Ray Ramirez

PREPARED STATEMENT OF GOVERNOR GILBERT SANCHEZ, ALL INDIAN PUEBLO COUNCIL

Thank you for affording me the opportunity to address this distinguished committee on a matter of the Ysleta Del Sur Pueblo.

I am Gilbert Sanchez, Governor of San Ildefonso Pueblo, New Mexico. I am here today to present testimony on behalf of the All Indian Pueblo Council (AIPC) which represents the Pueblo Tribes of: Cochiti, Isleta, Jemez, Laguna, San Felipe, Sandia, Santa Ana, Santo Domingo, Zia, Zuni, Nambe, Picuris, Pojoaque, San Ildefonso, San Juan, Santa Clara, Taos and Tesuque.

The Indian people of Ysleta Del Sur Pueblo share a way of life understood only by other Pueblo Indians. Their culture and religion remains intact and is carried forth as practiced and passed on by a people determined to preserve their Indian way.

The All Indian Pueblo Council, through 1985 RESOLUTION #22 wholeheartedly supports the efforts of the Pueblo of Ysleta Del Sur in their efforts to gain Federal Recognition. The All Indian Pueblo Council's through its Resolution strongly objects to the efforts of the State of Texas to terminate a people who takes pride in being American Indians, and as such supports H.R. 1344, sponsored by Representative Coleman, with all provisions inherited thereof.

More important, the Federally recognized Isleta Pueblo adopted Isleta Pueblo Resolution 84-051 (copy attached) expressing their total support for the Ysleta Del Sur Pueblo. That very same resolution acknowledges and confirms "that the Ysleta Del Sur Pueblo...are direct bloodline descendants of Pueblo Indian People forcibly removed and relocated from Isleta Pueblo, New Mexico in 1680 and 1681 to their present site in El Paso County, Texas..."

Various Indian organizations and Tribes have gone on record in support for Ysleta Del Sur Pueblo when similar legislation was proposed in the 98th Congress.

Congressmen, I strongly encourage you to favorably consider the matter before you and recommend adoption of H.R. 1344. In doing so, you will contribute to the preservation and survival of the Pueblo world.

ALL INDIAN PUEBLO COUNCIL

1985 RESOLUTION #22

WHEREAS, the All Indian Pueblo Council (AIPC) comprised of the Pueblo Tribes of Cochiti, Isleta, Jemez, Laguna, San Felipe, Sandia, Santa Ana, Santo Domingo, Zia, Zuni, Nambe, Picuris, Pojoaque, San Ildefonso, San Juan, Santa Clara, Taos, and Tesuque have recognized the Tigua Indians from Ysleta Del Sur Pueblo of El Paso, Texas, as direct decendants of Isleta Pueblo, New Mexico; and,

WHEREAS, in 1968, the Pueblo of Ysleta Del Sur was finally recognized by the Federal Government. However, such recognition was granted only on the grounds that the tribe would be terminated from federal trust responsibility and transferred to the State of Texas; and,

WHEREAS, there is strong indication and action by the State of Texas to terminate this trust relationship; and the State Attorney General of Texas has declared that there is no legal grounds for the State of Texas to provide services and funds to the Pueblo of Ysleta Del Sur; and,

WHEREAS, such actions and declarations threatens the very survival and existence of the Tigua people of Ysleta Del Sur who are direct decendants of our New Mexico located Pueblo of Isleta

NOW, THEREFORE BE IT RESOLVED, that 1) The AIPC and its member Pueblos strongly object to the efforts of the State of Texas to terminate a people who take pride in being American Indians. 2) The AIPC and its membership supports H.R. 1334 sponsored by Representative Coleman with all provisions inherited in the legislation. 3) The Chairman of AIPC is hereby authorized to support H.R. 1334 and the efforts of the Tigua Indian Tribe of Ysleta Del Sur to attain federal recognition.

CERTIFICATION

I, the undersigned, as Chairman of the All Indian Pueblo Council, do hereby certify that the foregoing resolution was passed at a duly held meeting of the AIPC held on the 21 day of JUNE, 1985, at which time a quorum was present with 17 voting for, 0 against and 0 abstaining.

Gilbert M. Pena

Gilbert M. Pena, Chairman

ATTEST:

John F. Gonzales

John F. Gonzales, Secretary/Treasurer

1988 RESOLUTION #22

PUEBLO OF COCHITI

PUEBLO OF ISLETA

PUEBLO OF JEMEZ

PUEBLO OF LAGUNA

PUEBLO OF SAN FELIPE

PUEBLO OF SANDIA

PUEBLO OF SANTA ANA

Gov Alex Garcia
PUEBLO OF SANTO DOMINGO

Augustine Pino
PUEBLO OF ZIA

PUEBLO OF ZUNI

PUEBLO OF NAMBE

Gerald Nailor
PUEBLO OF PICURIS

PUEBLO OF POJOAQUE

Gary S. Roybal - 1st Lieut.
PUEBLO OF SAN ILDEFONSO

PUEBLO OF SAN JUAN

PUEBLO OF SANTA CLARA

Joe C. Sandoval
PUEBLO OF TAOS

Joe A. Padilla
PUEBLO OF TESUQUE

PREPARED STATEMENT OF MARK WHITE
GOVERNOR OF THE STATE OF TEXAS

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to present my views on H.R. 1344, a bill to restore the federal trust relationship to the Alabama-Coushatta and Tigua Tribes of Texas. Both Tribes are valued members of the Texas community of governments, and it is a pleasure to submit testimony in support of this legislation. The strong local support that has been forthcoming for this bill speaks clearly to the high esteem in which these Tribes are held by their respective local communities. As you have heard in earlier testimony, the State of Texas has enjoyed a long relationship with the Alabama-Coushatta Tribe which began around the time of the Texas Revolution. A portion of the Alabama-Coushattas' present reservation was established by Act of the Texas Legislature in 1854, and since that time the State has endeavored to promote the survival and welfare of the Tribe and its members. Our relationship with the Tigua Indians of the Ysleta del Sur Pueblo in El Paso is of a more recent origin, having been formally established in 1968 pursuant to congressional and state legislative enactments.

Since 1965, the State has administered its programs and responsibilities for Indian tribes through the Texas Indian Commission, an agency of the State whose three members are appointed by the Governor for six-year terms. The Commission, in turn, appoints an executive director who employs a superintendent for the management and supervision of each reservation. I will note briefly that, over the course of recent years, the State of Texas has sought to foster and encourage the economic self-sufficiency of the Tribes, and I believe that we have met with considerable success in this area. While it is certain that both Tribes still require substantial assistance, each Reservation has developed tribal businesses that are a credit to the Tribes and which are now on the brink of maturing into truly successful business enterprises.

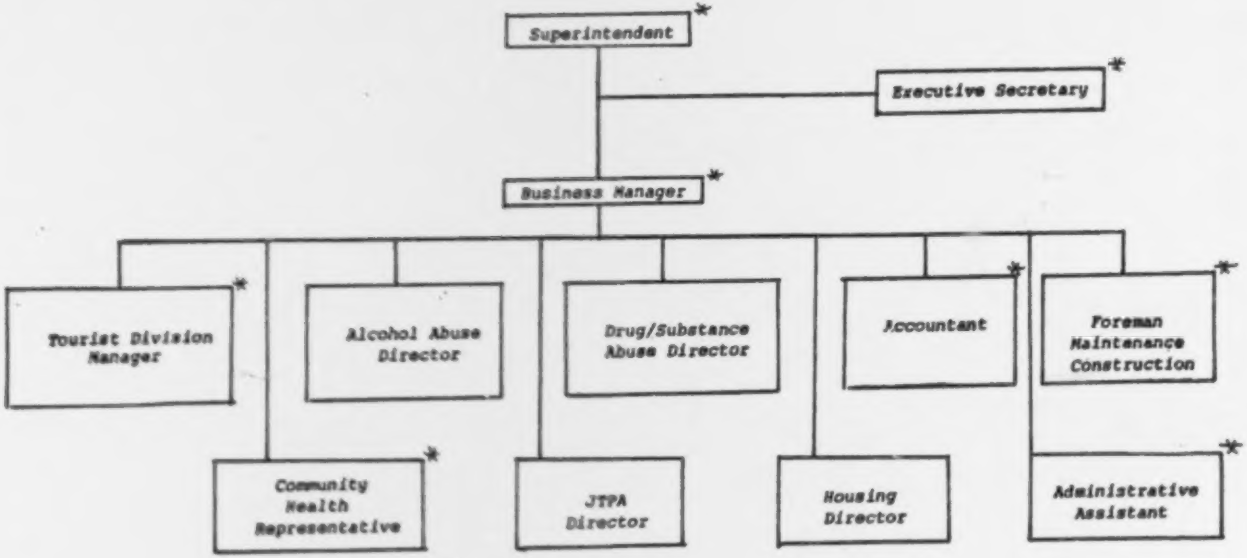
Thus, it is somewhat ironic that the substantial progress being made by these Tribes comes at a time when, for several reasons, the ability of the State of Texas to continue in its role as trustee to the Tribes has been called into question. As the Committee has heard, Texas Attorney General Mattox issued an opinion in 1983 which held, in essence, that the State of Texas could not legally hold tribal lands in trust and provide special services to the Tribes and their members. Litigation challenging that ruling is presently pending in the Federal District Court in Austin, Texas, and I do not feel it appropriate to comment further, except to emphasize that the legality of the entire state trust system has been questioned in a formal opinion of the State's chief legal official. It should be further noted at this point that several state and local taxing authorities have decided to place tribal property and resources on the tax rolls. It is my understanding that these decisions are likewise being challenged by the Tribes, but for purposes of this legislation and this Committee's deliberations, those developments do appear to be relevant.

In addition to the state law questions surrounding the legal status of the Reservations and their resources, the Texas Legislature has reduced appropriations to the Texas Indian Commission and the Tribes in the current legislative biennium. State administrative funds to the Ysleta del Sur Pueblo in El Paso were reduced by 6%, while state funding to the Alabama-Coushatta Tribe was eliminated entirely. Thus, while there are still state employees administering the affairs of the Alabama-Coushatta Reservation, their salaries are currently being paid from the Tribe's mineral funds in the state treasury. We understand that oil and gas production on the Alabama-Coushatta Reservation has decreased dramatically in recent months, and it is therefore unclear whether the Tribe will be able to continue paying the salaries of state employees for any extended period. We are currently exploring possible alternative sources of funds that could be used to relieve the Tribe of these payments, but at this point it is unclear whether such alternative funds are available.

The uncertainties surrounding the Tribes' status under state law, together with the increasing reluctance of the State legislature to fund Indian programs, combine to render the future of these two small Tribes under the existing state trust system highly uncertain. If, however, the lands, resources and governmental powers of the Tribes were protected by the same body of federal law that protects the hundreds of other Indian tribes in this country, their future would appear to be brighter and more certain. While we recognize that the history of Texas is unique in many respects, including its dealings with the first Americans within its borders, we no longer see any justification for according these two small Tribes different treatment under the federal Indian laws than that accorded to the other Indian tribes of this country. The State of Texas is proud of its historic relationship with the Alabama-Coushatta and the Ysleta del Sur Pueblo, and would certainly continue to endeavor to assist the Tribes in any manner possible. However, we believe that the primary responsibility

YSLETA DEL SUR PUEBLO

Organizational Chart
Management Positions


Superintendent *
Executive Secretary *
Business Manager *
Tourist Division Manager *
Alcohol Abuse Director
Drug/Substance Abuse Director
Accountant *
Foreman Maintenance Construction *
Community Health Representative *
JTPA Director
Housing Director
Administrative Assistant *

* STATE FUNDED POSITIONS

for tribal lands and resources and the welfare of tribal members most properly lies with the United States. The restoration of the federal trust relationship will provide both Tribes with the security and tools they need to continue their drive toward self-determination.

I am, therefore, pleased to lend my support to H.R. 1344, and would urge the Committee to give it favorable consideration with the Amendments proposed in your June 25th Select Committee hearing.

Native American Rights Fund
1506 Broadway • Boulder, Colorado 80302-6296 • (303) 447-8760

Executive Director
John E. Echohawk

Deputy Director
Jeanette Wolfley

Attorneys
Jerilyn DeCoteau
Walter R. Echo-Hawk
Kim Jerome Gottschalk
Yvonne T. Knight
Scott B. McElroy
Don B. Miller
Steven C. Moore
Robert M. Peregoy
Jeanne S. Whiteing

Development Officer
Mary L. Hanewall

Controller
Susan R. Hart

Washington Office
1712 N Street, N.W.
Washington, D.C. 20036-2976
(202) 785-4166

Attorneys
Richard Dauphinais
Arlinda F. Locklear
Henry J. Sockbeson

Anchorage Office
310 K Street, Suite 708
Anchorage, AK 99501
(907) 276-0680

Attorneys
Robert T. Anderson
Lawrence A. Aschenbrenner

Of Counsel
Richard B. Collins
Bruce R. Greene
Charles F. Wilkinson

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1 May 1986

Hazel E. Elbert, Director
Office of Indian Services
Bureau of Indian Affairs
United States Dept. of the Interior
Washington, DC 20240

Re: H.R. 1344 (Ysleta del Sur)

Dear Ms. Elbert:

Thank you for your letter of April 17, 1986 enclosing the Branch of Acknowledgment and Research's analysis of the Gerald Report. While we believe that the Administration's recognition criteria are not properly applicable to the Ysleta del Sur Pueblo because Congress recognized the Pueblo's existence in 1968, we nonetheless want to make every effort to assure the Department that the Pueblo has continuously existed as an indentifiable Tribe since 1682. We are therefore enclosing information that addresses the concerns raised by the Branch of Acknowledgment and Research in its February 18, 1986 memorandum.

A meeting has been scheduled, at our request, with Assistant Secretary Swimmer on Tuesday, May 6, 1986 at 8:00 a.m., to discuss the Department's position on the Ysleta del Sur portion of H.R. 1344. We are supplying this information, somewhat hurriedly, in the hope that you will have an opportunity to give it at least a preliminary review prior to the May 6 meeting. As we explained in our April 28 letter to Mr. Swimmer (copy enclosed), it is critical that Congress act this session to reassume the trust relationship with both Texas tribes. Thus, in an effort to ensure that Senate hearings are not further delayed, we requested that the Department expedite its review of the issues raised by the Branch of Acknowledgment and Research.

The principle criticism raised by the February 18 memorandum was the lack of evidence indicating that the Tribe has had a functioning political system in the 20th Century. We understand this to mean the period between 1903 and 1968, as

Fewkes documented in detail the socio-political structure of the Tribe in 1903, 114 Cong. Rec. 3687-88 (April 1, 1968), and since 1968 the Tribe has maintained a formal relationship with the State of Texas through the Texas Indian Commission. See Statement of former Governor Manuel Silvas on H.R. 1344 before the House Interior Committee (October 17, 1985) for a description of present Ysleta del Sur tribal government and programs.

With regard to the changes in tribal government that occurred in 1967-68, it is important to understand that prior to 1968, the Pueblo had no trust lands, no budget, no office, no staff, no programs to administer, etc. With the establishment of a trust relationship with Texas in 1968 and the acquisition of trust lands, the duties and responsibilities of tribal government increased dramatically as housing and economic development projects, among others, were undertaken.

It was during this period (1967-68), that the Tribal Council added two additional members to the traditional 5-member council. While no official record of this change has been found, tribal elders agree that the two additional council members were added because none of the 5-member traditional council were fluent enough in spoken or written English to conduct tribal business with the outside world. The two additional council members participate as full voting members of the Council in secular governmental/administrative matters, but do not have additional religious duties as do the other council members. There is no office of "Tribal Secretary;" rather, the Council simply appoints someone to maintain a record of Council proceedings. Generally, over the years, this has been the Reservation Superintendent's secretary (a Texas Indian Commission employee).

There has been very little published or written describing the functioning of Ysleta del Sur tribal government during the period 1903-1967. What little there is was referenced in the Gerald report. There are, however, a number of tribal elders who recall, in varying degrees of detail, the functioning of the Pueblo's government during this period. Enclosed are copies of prepared statements by 7 tribal elders. Together, these statements reveal that the Pueblo's governing body exerted very substantial control over the lives and property of its members in the 20th Century. Indeed, the first law for tribal members was tribal law, with state and local laws being quite secondary. The Tribal Council directed and controlled not only religious ceremonies, but the use of irrigation water and ditches and directed who was to plant a particular field and the type of crop to be raised. Men had to secure the permission of a tribal officer before they could hunt. The Pueblo maintained its own jail until mid-century and tribal members were punished, even whipped, for violations of tribal law. Notwithstanding that its traditional lands had been non-trust fee lands since the 1870's, the Tribal Council continued to control use and occupancy by members of the Pueblo, deciding who was to live on particular lands and resolving land disputes among tribal members. And, on land that was considered to be within the Pueblo, the Council, on at least one occasion, excluded non-members and later negotiated the conditions under which they would be permitted to do business on that land.

The tribal elders state that they have continuously had tribal officers, that the council has always met, and that the members submitted to the authority of tribal officers even when they resided outside the Pueblo. The Gerald report contains, at p. 38, a complete list of Caciques during this century.

TRIBAL MEMBERSHIP

From 1967, when the tribal roll was originally established, to 1984, when it was permanently closed and finally certified by the Council, the roll was thoroughly researched, verified, and certified on a person-by-person basis by the Tribal Council, with assistance from tribal elders. See, e.g., minutes of December 16, 1982 council meeting, attached to Statement of former Governor Silvas before House Interior Committee Hearings on H.R. 1344, October 17, 1985. Blood quantum requirement for membership was established by the Council at 1/8 or more degree of Tigua Indian blood. Tigua heritage and degree of Tigua Indian blood for each individual was established on a geneological basis and verified through the use of oral and written testimony by tribal elders, current and historical legal records including census rolls of the 1700's and 1800's, military records, school records, birth certificates, marriage licenses, land records, church records, and tribal records and documents. Numerous individuals were denied tribal membership due to blood quantum below 1/8 degree or lack of documentation. See, e.g., December 16, 1982 minutes, supra.

Until closure of the rolls, two separate rolls were maintained: one for those tribal members residing in El Paso County and a second, separate roll for those members residing outside El Paso County (absentee roll). During this period, only the membership totals from the El Paso County roll were used by tribal and state officials. The apparent sudden increase in tribal membership noted in the February 18 memorandum is explained by the fact that in 1984, when the rolls were permanently closed, the El Paso County and absentee rolls were combined into a single roll.

In 1968, it was estimated that there were approximately 650 tribal members in the Ysleta area. The references in the legislative history of the 1968 Tiwa Indian Act to "167 Tiguas" are references to the "remaining 20 families of pure Tigua blood" 114 Cong. Rec. 3692 (April 1, 1968) (Remarks of Senator Yarborough). However, it was recognized at that time that there were approximately 500 additional members of mixed blood. 114 Cong. Rec. 3683 (April 1, 1968) (Statement of Tom Diamond). Thus if we assume the accuracy of the 1968 estimate (roughly 650 members), the 1985 figure of 801 resident members represents a growth rate of slightly over 1% per year. However, it should be noted that we question the validity of arriving at growth rates by comparing population estimates made before any official roll had been compiled and certified with the final population figures that resulted from a 17-year review and certification process.

The Tribal Council of the Ysleta del Sur Pueblo has been the only entity to determine tribal membership. The enrolled tribal members who reside in Las Cruces, New Mexico, are direct descendents of the Ysleta del Sur Pueblo. *See* Fewkes, 1903, *The Pueblo Settlements Near El Paso, Texas*; 114 Cong. Rec. 3585 (April 1, 1968). Under the Tribe's membership criteria, they were eligible for enrollment if they met the 1/8 degree blood requirement and could demonstrate to the Council's satisfaction that they were in fact direct descendants of known Tigua Indians of Ysleta del Sur.

As to the confusion regarding future tribal membership, the Tribal Council has simply stated that the rolls for membership were open for a substantial number of years and are now closed as far as the enrollment of any adults. Any additional membership will be reserved for those children born to tribal members after January 1, 1980, as long as the applicant meets the requirement of 1/8 degree or more Tigua blood. If the membership criteria would in fact result in extinction of the Tribe after one generation of descendants, as stated in the February 18 memorandum, then that is an oversight that may be easily corrected.

Hazel E. Elbert
1 May 1986
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We hope that this will help clarify the issues raised by the Branch of Acknowledgment and Research. If you require additional information or documentation, we will be happy to supply it. Thank you for your consideration.

Very Truly Yours,

Don B. Miller

DBM/ps
Enc.

cc: The Honorable Lloyd Bentsen (w/enc.)
The Honorable Phil Gramm (w/enc.)
The Honorable Ron Coleman (w/enc.)
The Honorable Charles Wilson (w/enc.)
The Honorable Ross Swimmer (w/enc.)
Michael Mahsetky (w/enc.)
Ralph Reeser (w/enc.)

April 25, 1986

My name is Miguel Pedraza. I was born June 30, 1904 in Ysleta, Texas, I am 81 years of age and I am a full blooded American Indian.
I was raised an have lived my entire life in Ysleta an have witnessed and been involved in Pueblo traditions and government.

The Pueblo always has had its own laws and they have been enforced by the Tribal officials. We always were obligated to follow the laws and rules of the Pueblo even before those of the City, County, or State.

The Council and officersnot only regulated the religious ceremonies but also planned and directed what was to be planted for the following year and who was to plant what field. Before the irrigation people took over, the Council regulated the use of the ditches and water.

When we were young, boys and men always had to get permission from the Tribal officers before we went hunting or did almost anything, even outside the Pueblo's lands.

I served as Governor of the Pueblo from 1967 to 1971. I became Governor when Salvador Granillo who had been Governor for four years died.

I also remember my grandfather Benseslao Granillo was Governor in the 1920's. Specifically I remember he was governor in 1922.

We, the Indians, had our own jail. We had it until the late 1940's or early 1950's. The Council could and often did punish people there for disobeying the law. It was separate from the county's jail which was a few blocks away. The county's jail was for gringos and mexicans. Ours was for just Indians. The building in which it was located is still there. It's owned by the Colmenero's now.

When I was young I was told the land has always belonged to the Pueblo but people had to get papers in their names because the law said. The Council decided who was to live on the land and where. Even after there were papers and when I was growing up the Council and Officers decided arguments over the land and the people had to obey.

We had to follow the laws of the Council without question. The law of the Council was very much respected.

Many times problems were discussed as the Elders played "los Canutos".

122 S. Old Pueblo Rd. El Paso, Texas 79907 (915) 859-7913 Administration 859-3916 Cultural Center

Our land was given to us by Mexico and Spain. This was independent land. I saw a map with all the land that belongs to the Indians. My mother had it, but I think my brother had it and lost it.

Sometimes even people outside, los vecinos obeyed our law. One time they tried to build a filling station on the corner near the church. Mariano Colmenero and the elders made them remove it because it was our land. They sat on the land with shotguns until it was taken out. I remember that, I saw it.

Miguel Pedraza
Miguel Pedraza

Sworn and subscribed to before me
this the 29 day of April, 1986.
Elizabeth Garcia Notary Public
El Paso County, Texas

My Commission Expires:
November 30, 1988

ELIZABETH GARCIA
Notary Public
STATE OF TEXAS
My Comm. Exp. Nov. 30, 1988

...ARCIA
...TEXAS
...Nov. 30, 19...

April 25, 1986

I Jose Trinidad Granillo do hereby swear and confirm the following:

1. I am 75 years old and was born on May 30, 1908 in Ysleta, Texas

2. I am a full blooded Tigua Indian and have always lived in the Pueblo of Ysleta del Sur.

3. I am presently Cacique, religious leader of the Pueblo. I became Cacique in 1981 on the death of my older brother Jose Granillo.

   My destino or office has been passed to me through a line of Caciques who go back to the beginning of our Pueblo without any break in the line.

   Before being Cacique I was Capitan de Guerra or War Chief for about 17 years.

4. I can certify to the fact there to my knowledge there have always been Caciques, Capitanes, Governadores, and other tribal officials, like Alguacil.

   These people have always made and enforced the laws and rules of the people of the Pueblo and they were obeyed as law.

Jose T Granillo

Jose Trinidad Granillo

Sworn and subscribed to before me
this the 29 day of April, 1986

Elizabeth Garcia Notary Public

El Paso County, Texas

My Commission Expires:
November 20, 1988

ELIZABETH GARCIA
Notary Public
STATE OF TEXAS
My Comm. Exp. Nov. 20, 1988

April 25, 1986

I am Alicia Granillo Ruiz. I was born in 1930 on September 22 in Ysleta and have always lived with the Indians. I am a Tigua, too.

I remember a lot of the old Caciques and Governors. I also remember that they had meetings and everyone attended and when they went by the drum they made a reverence and kissed it. If someone was drunk they were not allowed near the drum or the junta. They knew it because they respected and didn't go near. If they disobeyed they were punished, even whipped.

We all had a lot of respect for our own laws, even the little children, not like today, children even talk back to their elders. When the officers said something was the law we obeyed.

We have always had Councils. I agree with the others on that, they made the laws and rules we lived by. That's the tradition we lived with.

Alicia G Ruiz
Alicia Granillo Ruiz

Sworn and subscribed to before me
this the 29 day of April, 1986
Notary Public
El Paso County, Texas

My Commission Expires:
November 20, 1988

ELIZABETH GARCIA
Notary Public
STATE OF TEXAS
My Comm. Exp. Nov. 20, 1988

TIGUA INDIANS
YSLETA DEL SUR PUEBLO

April 25, 1986

My name is Ramona Paiz. I am a Tigua Indian. I'm the oldest one in the Pueblo and I knew all the old people.

I was born in Ysleta in 1900, November 2. I have always lived in the Pueblo.

We always have a Council. I remember.

The Council did regulate the Pueblo, the houses and the land, too. We had to follow what they said.

We even made reverence to the tombe (ceremonial drum).

We had our own jail in Damacio's (Colmenero) house over by the ditch.

We always had Governors. It was the custom that most Caciques were Governors before. The Governor was like an assistant to the Caciqus and enforced the law.

The Indians made the first law, then the other laws came. But for us the law of the Pueblo was the one we obey.

X witness

Ramona Paiz

ELIZABETH GARCIA
Notary Public
STATE OF TEXAS
My Comm. Exp. Nov. 20, 198

Sworn and subscribed to before me
this the 29 day of April, 1986.

Notary Public

El Paso County, Texas

My Commission Expires:

November 20, 1988

April 25, 1986

My name is Juana Alvidrez. I am a Tigua. I was born in Ysleta and have always lived here. I am 69 years old and was born on March 23, 1917.

I grew up in the Barrio de los Indios, in the Pueblo. I was raised around and knew all of the old people.

I listened to the testimony of Miguel Pedraza Sr., Ramona Paiz, Chonita Morales and the others and remember the same things.

I agree with them that we have always had a Council and that they were the law.

____
Juana Alvidrez

Sworn and subscribed to before me
this the ________ day of _________, 1986

____________________________ Notary Public

____________________________ County, Texas

My Commission Expires:

____

April 25, 1986

My name is Rosalia Paiz Bustamante. I was born on September 4, 1921 in Ysleta, Texas and have always lived there. I am a Tigua and member of the Pueblo.

I remember the same things Miguel Pedraza Sr., Ramona Paiz, and the others have said about the Tribal Council and the laws.

We have to obey the Council and officers. For the Pueblo the orders of the Council was the first law, the one that counted for us was the one made by the Council.

We had juntas (meetings) and everybody had to attend and obey.

____
Rosalia Paiz Bustamante

Sworn and subscribed to before me
this the ______day of _________, 1986

________________________Notary Public

________________________County, Texas

My Commission Expires:

____

April 25, 1986

My name is Chonita Morales, they call me Chonita, but its Maria Encarnacion Duran Morales. I am 73 years old. I was born in Ysleta on February 16, 1913, I am 1/2 Indian my mother was Beatriz Duran.

I lived in Ysleta until October 1920 when we moved to California. We moved back to the area in October 1923. When we came back our house was on Wingo Avenue. This was not with the Indians. But even though we did not live in the Pueblo we still had to follow the laws of the Pueblo. Whenever we had problems we went to the Pueblo. The Pueblo's law was more important and first before the State of County.

I remember we had our jail only for Tiguas.

The Council made rules for the fiestas too and decided who would dance. You had to obey the rules and law without question. Everyone respect the law of the Council.

My mother taught us that we were supposed to obey the law of the tribe all the time.

I remember when they tried to build a filling station they made them take it out because they didn't ask permission. Later when Manuel Ortega was Governor, he was a peaceful man not like Mariano Colmenero, then the one interested to put the gas station negotiate with him until they got permission. The filling station was put there by Mr. Baily.

The jail belong to Damacio Colmenero and there they punish the Tribal members for breaking the rules of the tribe.

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Continuation

There has always been a Council, at least all my life and I was taught there always was, especially Caciques, Capitanes and Governadores.

Maria Encarnacion Duran Morales

Sworn and subscribed to before me
this the _______ day of ________, 1986

________________ __________Notary Public

__________________________County, Texas

My Commission Expires:

____

ALABAMA-COUSHATTA INDIAN RESERVATION
Route 3 • Box 640 • Livingston, Texas 77351 • (409) 563-4391

TRIBAL COUNCIL
Morris Bullock, Chairman
Perry Williams, Vice-Chairman
Sidney Poncho, Secretary
Leroy Stafford, Treasurer
Clem Sylestine
Edwin Battise
Ben Thompson

1/MB/cd
2005/3
March 6, 1986

ALABAMA-COUSHATTA TRIBAL COUNCIL
ACITC Resolution #86-07

PERTAINING to the Tribal Council exercising its delegated power under Section I, Article IV, Powers, Constitution and ByLaws of the Alabama-Coushatta Indian Tribe, to manage and protect the land and natural resources of the Tribe.

WHEREAS, on December 16, 1985, the United States House of Representatives passed H. R. #1344, a bill to provide for the restoration of the federal trust relationship to the Alabama-Coushatta Indian Tribe of Texas, and H. R. #1344 is now before the United States Senate for consideration; and,

WHEREAS, after hearings on H. R. #1344 before the House Committee on Interior and Insular Affairs on October 17, 1985, the Comptroller of Public Accounts for the State of Texas raised concerns that H. R. #1344 would permit the Tribe to conduct high stakes gambling and bingo operations to the detriment of existing charitable bingo operations in the State of Texas and further expressed concerns that the Alabama-Coushatta Tribe would be unable to properly manage such operations in the event the Tribe decided to undertake them, and would therefore become a prime target for organized crime; and,

WHEREAS, the Comptroller urged members of the Texas Congressional Delegation to defeat H. R. #1344 unless the bill was amended to provide for direct application of state laws governing gaming and bingo on the Reservation; and,

WHEREAS, the Alabama-Coushatta Tribe had no interest in conducting high stakes bingo or other gambling operations on its Reservation, regardless of whether such activities would be governed by Tribal law, state law or federal law; and,

WHEREAS, in response to the concerns voiced by the Comptroller and other officials, the Tribe attempted to insure that H. R. #1344 would give the Tribe no competitive advantage in gaming operations by agreeing to amend H. R. #1344 to provide that any gaming activities on the Reservation would be conducted pursuant to Tribal law that would be required to be identical to state law, and H. R. #1344 was so amended by the House Interior Committee; and,

WHEREAS, some state officials and members of the Texas Congressional Delegation continue to express concern that H. R. #1344, as amended, does not provide adequate protection against high stakes gaming operations on the Reservation; and, WHEREAS, the proposal that H. R. #1344 be amended to make state gaming laws applicable on the Reservation continues to be wholly unsatisfactory to the Tribe in that it represents a substantial infringement upon the Tribes' powers of self-government, is inconsistent with the central purposes of restoration of the federal trust relationship, and would set a potentially dangerous precedent for other Tribes who desire to operate gaming facilities and are presently resisting attempts by states to apply their law to Reservation gaming activities; and,

WHEREAS, the Alabama-Coushatta Tribe remains firm in its commitment to prohibit outright any gambling or bingo in any form on its Reservation; and,

WHEREAS, although the Tribe, as a matter of principle, sees no justification for singling out the Texas Tribes for treatment different than that accorded other Tribes in this country, the Tribe strongly believes that the controversy over gaming must not be permitted to jeopardize this important legislation, the purpose of which is to ensure the Tribe's survival, protect the Tribe's ancestral homeland and provide the Tribe with additional tools to become economically and socially self-sufficient;

NOW THEREFORE BE IT RESOLVED that the Alabama-Coushatta Tribe respectfully requests its representatives in the United States Senate and House of Representatives to amend Section 207 of H. R. #1344 by striking all of that section as passed by the House of Representatives and substituting in its place language which would provide that all gaming, gambling, lottery, or bingo, as defined by the laws and administrative regulations of the state of Texas, shall be prohibited on the Tribe's reservation or on Tribal land.

PASSED AND APPROVED this 10th day of March, 1986, and recorded in the minutes of the regular called meeting of the Tribal Council on March 10, 1986.

ATTESTED:	APPROVED:
Perry D. Williams	Morris Bullock
Secretary, Tribal Council	Chairman, Tribal Council

Ysleta del Sur Pueblo Council
Resolution Number TC-02-86

WHEREAS, on December 16, 1985, the United States House of Representatives passed H. R. 1344, a bill to provide for the restoration of the federal trust relationship to the Ysleta del Sur Pueblo (Tigua Indian Tribe of Texas), and H. R. 1344 is now before the United States Senate for consideration; and,

WHEREAS, after hearings on H. R. 1344 before the House Committee on Interior and Insular Affairs on October 17, 1985, the Comptroller of Public Accounts for the State of Texas raised concerns that H. R. 1344 would permit the Tribe to conduct high stakes gambling and bingo operations to the detriment of existing charitable bingo operations in the State of Texas; and,

WHEREAS, the Comptroller urged members of the Texas Congressional Delegation to defeat H. R. 1344 unless the bill was amended to provide for direct application of state laws governing gaming and bingo on the reservation; and,

WHEREAS, the Ysleta del Sur Pueblo has no interest in conducting high stakes bingo or other gambling operations on its reservation, regardless of whether such activities would be governed by tribal law, state law or federal law; and,

WHEREAS, in response to the concerns voiced by the Comptroller and other officials, the Tribe attempted to insure that H. R. 1344 would give the Tribe no competitive advantage in gaming operations by agreeing to amend H. R. 1344 to provide that any gaming activities on the reservation would be conducted pursuant to tribal law that would be required to be identical to state law, and H. R. 1344 was so amended by the House Interior Committee; and,

WHEREAS, some state officials and members of the Texas congressional delegation continue to express concern that H. R. 1344, as amended, does not provide adequate protection against high stakes gaming operations on the reservation; and,

WHEREAS, the proposal that H. R. 1344 be amended to make state gaming law applicable on the reservation continues to be wholly unsatisfactory to the Tribe in that it represents a substantial infringement upon the Tribes' power of self government, is inconsistent with the central purposes of restoration of the federal trust relationship, and would set a potentially dangerous precedent for other tribes who desire to operate gaming facilities and are presently resisting attempts by State to apply their law to reservation gaming activities; and,

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Resolution #TC-02-86

WHEREAS, the Ysleta del Sur Pueblo remains firm in its commitment to prohibit outright any gambling or bingo in any form on its reservation; and,

WHEREAS, although the Tribe, as a matter of principle, sees no justification for singling out the Texas Tribes for treatment different than that accorded other Tribes in this country, the Tribe strongly believes that the controversy over gaming must not be permitted to jeopardize this important legislation, the purpose of which is to ensure the Tribe's survival, protect the Tribe's ancestral homelands and provide the Tribe with additional tools to become economically and socially self-sufficient;

NOW THEREFORE BE IT RESOLVED, that the Ysleta del Sur Pueblo respectfully requests its representatives in the United States and House of Representatives to amend Section 207 of H. R. 1344 by striking all of that section as passed by the House of Representatives and substituting in its place language which would provide that all gaming, gambling, lottery, or bingo, as defined by the laws and administrative regulations of the State of Texas, shall be prohibited on the Tribe's reservation or on tribal land.

DATE: 3-12-86

APPROVED:
Miguel Pedraza Jr.
Governor

I certify that the foregoing Resolution has been approved and is recorded in the Minutes of the March 12, 1986 Meeting of the Ysleta del Sur Pueblo Council.

DATE: March 12, 1986

CERTIFIED:
Raymond Ramirez
Superintendent

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